[redacted]

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No. 65-3264

Miami, Florida
June 3, 1974

Bob Dr.

RE: DANIEL ELLSBERG;
BURGLARY OF OFFICE OF DR. LEWIS
J. FIELDING

Eugenio R. Martinez Careaga

REGARDING EUGENIO ROLANDO MARTINEZ, also known as
Eugenio Rolando Martinez y Careaga

Robert Wm. Artemis
Executive
Secretary

address: 1004 N. Dixie
Highway, Apt. 12
Miami, Florida

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

90

ENCLOSURE 65-14[illegible]

4/75

FEDERAL BUREAU OF INVESTIGATION

1.

Date of transcription 5/28/74

[redacted]

"Diario Las Americas," the only Spanish daily newspaper in the Miami area published at 2900 N.W. 39th Street, Miami, Florida, advised that that newspaper did not maintain a morgue as such. The paper had no index or files grouped by individuals' names or subject matter concerning previously published articles.

The newspaper does maintain a library of past editions of the newspaper filed chronologically.

[redacted] that that newspaper had not done any special news article concerning EUGENIO F. MARTINEZ or FELIPE DE DIEGO. All their news articles in this connection had been based on wire service releases.

Interviewed on 5/23/74 at Miami, Florida File # Miami 65-3264

by [redacted] Date dictated 5/28/74

2

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

FD-302 (REV. 3-3-59)

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/22/74

1.

[redacted] atria Newspaper, Inc., a Spanish language newspaper published weekly for the Miami, Florida, area at 717 Ponce de Leon Boulevard, Coral Gables, advised that that newspaper did not maintain a morgue as such. The paper had no index or files grouped by individuals' names or subject matter concerning previously published articles.

The newspaper does maintain a library of past editions of the newspaper filed chronologically.

[redacted] hat the newspaper had not done any special news article concerning BERNARD L. BARKER, EUSEBIO R. MARTINEZ, or FELIPE DE DIEGO. All their news articles in this connection had been based on wire service releases.

Interviewed on 5/24/74 at Miami, Florida File # Miami 65-3264

by [redacted] 3 Date dictated 5/28/74

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 6/3/74

1. [redacted], Immigration and Naturalization Service (INS), Miami, Florida, made available that agency's file which had been obtained from the Federal Records Center, East Point, Georgia, regarding EUGENIO ROLANDO MARTINEZ, also known as Eugenio Rolando Martinez y Careaga, INS file A 11 264 682.

EUGENIO ROLANDO MARTINEZ, a white male, Cuban, born July 8, 1922, was naturalized as a U.S. citizen in U. S. District Court at Miami, Florida, on July 8, 1970. He was issued U.S. Certificate of Naturalization Number 9386026.

Attached is a copy of the contents of his INS file:

Interviewed on 5/31/74 at Miami, Florida File # Miami 65-3264

by [redacted] Date dictated 6/3/74

4

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

FD-302 (REV. 11-27-70)

FEDERAL BUREAU OF INVESTIGATION

1.

Date of transcription May 28, 1974

[redacted] "Miami Herald" and "Miami News" newspapers, the morning and evening daily newspapers published in Miami, Florida, at 1 Herald Plaza, advised that the morgue of that newspaper contained individual file folders by name and subject of all individuals who had been frequently mentioned in connection with the Watergate and related investigations.

Accordingly, he made available for copying the following articles which were prepared by the "Miami Herald" and the "Miami News" newspapers (exclusive of wire service releases) contained in the name file of EUGENIO ROLANDO MARTINEZ:

Interviewed on 5/23/74 at Miami, Florida File # Miami 65-3264

by [redacted] Date dictated 5/28/74

88

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

(Mount Clipping in Space Below)

2 Spoke at Pro-Nixon Rally Of Exiles Here Last May

By ARNOLD MARKOWITZ
And RAUL RAMIREZ
Herald Staff Writers

Two of the men caught with a load of electronic equipment in Democratic National Committee headquarters in Washington early Saturday attended a Cuban exile meeting at Miami in May and claimed to represent an organization of captive nations.

The meeting, reported to The Herald by an exile source who asked to remain anonymous, followed President Richard M. Nixon's announcement of a blockade of North Vietnamese seaports.

According to the source, Frank A. Fiorini and Bernard L. Barker both spoke at the meeting, although they had not been invited. Its purpose was to organize a downtown demonstration in support of the blockade.

FIORINI later participated in the demonstration, the source said.

The source also said that some exile organizations do not trust Fiorini and Barker.

Barker, Fiorini and two more of the five men now being held as burglary suspects in Washington are Miamians.

Fiorini is the only one of the group about whom very much is publicly known. But how much of what is known about him is accurate is open to doubt. The stories he told to newspaper and magazine interviewers during the 1960s are rich with foreign intrigue, alliances with Fidel Castro and alliances against him.

Fiorini, who now calls himself Frank Albert Sturgis, is said to be about 48. Herald files contain many clippings about him, but none give his age.

Through many of the articles runs an undertone of skepticism. Fiorini's address is listed as 2515 NW 122nd St., near the fourth green of Westview Country Club.



Frank Fiorini
... Miami adventurer

The Miamians are:

● Eugenio L. Martinez, about 50, of the Montego apartment building, 4044 Meridian Ave., Miami Beach, a native of Cuba who is believed to have fought for Castro against dictator Fulgencio Batista and turned against Castro.

● Virgilio R. Gonzalez, about 46, of 930 NW 23rd Ave., Miami, a locksmith who did not show up for work Saturday.

● Bernard L. Barker, about 55, of 5229 NW Fourth St., a U.S. Army veteran, a prisoner in Germany during World War II and a worker in the Buro de Investigaciones — the Cuban counterpart of the FBI. He is now a real estate salesman, his neighbors think.

Fiorini, born in Virginia, lost his U.S. citizenship in 1960 for serving in a foreign military force — Fidel Castro's — in 1959. In 1961, with the help of Sen. George Smathers of Miami, was restored.

In 1959, he claimed to have made a propaganda leaflet raid by plane over Cuba, and that got him into trouble. Later, considerable doubt was raised as to whether that flight ever took place.

IN 1968, Fiorini, alias Sturgis, was jailed in British Honduras. He and 12 companions had been arrested in that country's waters during what Fiorini later claimed was a voyage to make a commando raid in Cuba.

The Mexican captain of the boat told British authorities that Fiorini and his friends had hijacked it.

Fiorini once was a close associate of Maj. Pedro Luis Diaz Lanz, once Castro's air force chief. Diaz Lanz also turned against Castro. Fiorini has not been in the news since 1968.

Martinez' neighbors in the Montego Apartments would not even come to their doors Saturday. It is a large building, fairly expensive-looking.

Gonzalez has worked nearly 12 years at the Missing Link Locksmiths at 221 NW Eighth Ave. Harry Collot, owner of the business, said Gonzalez "is not a stupid man. He's a very good locksmith. He's very expert with safes, at refinishing and rebuilding them.

"I'm not impressed with his lock-picking ability, though."

GONZALEZ' family, a wife, two daughters and a son, said he had gone to work Saturday morning. A young man who claimed to be Gonzales' son-in-law said he had seen him at home the same morning. [illegible] though. Gonzalez Washing[illegible]

Miami Herald
6/18/72

1089

Barker lives in half of a duplex house he owns at 5229 NW Fourth St. He rents the other half to a Cuban family. The neighborhood is largely Cuban.

Barker's wife Clara refused to open her door Saturday. She said she did not know anything about what had happened in Washington.

MANUEL Lama, who lives across the street, said he understands that Barker is in the real estate business.

"As far as I know, he is a nice person," Lama said. "He is on the fat side — about 200 pounds. About my height (five feet, nine inches). He speaks good Spanish, like a Cuban, without an accent.

"It's hard to believe this from the way he acts: A very nice person. Looks decent."

Demo break-in 'leader'

Once worked for the CIA

Combined Miami News Services

WASHINGTON — The apparent leader of five men, charged with breaking into the headquarters of the Democratic National Committee, has been identified as an affluent Miami realtor with important Republican Party links in Florida.

He was also said to have been one of the top planners of the CIA's abortive invasion of Cuba in 1961.

Private and official sources who know the five suspects and their background said that the leader was Cuban-born Bernard L. Barker, who, under the code name of "Macho," acted for the CIA in planning the Bay of Pigs operation.

Jose E. de la Torriente, leader of an anti-Castro organization that has sought support for an exile invasion of Cuba, told The Miami News that Barker "used to work for the CIA here at the time of the Bay of Pigs invasion. That was public knowledge. It was no mystery. He was a sort of assistant to the man who was in charge here for the CIA, a man named Bender."

At the time of his arrest, Barker gave his address as 855 SW 1st St., Miami. That is the office of Miguel A. Suarez, a Cuban-exile lawyer prominent in Republican politics in Florida. Suarez ran for Metro mayor in 1970 and finished fifth. According to his acquaintances, Barker is associated with Suarez in the sale of condominium apartments.

Robert Rosasco, Dade County GOP chairman, told The Miami News that if Barker had any political influence, it was "not with the Dade County organization." Rosasco said he had never heard of Barker.

According to Miami sources, Barker was politically active during the Bay of Pigs period, and was one of the principal links between the CIA headquarters and the Cuban exile army during the pre-invasion period.

Barker was said to have played a role in establishing the secret invasion bases in Guatemala and Nicaragua and to have served as one of the conduits for CIA money to the exile army.

Barker, now a U.S. citizen, is closely associated with Capt. Manuel Artime, the military leader of the invasion. Artime, who lives in Miami, is reported to have business connections with prominent Cuban exiles in Miami, who in turn have links to the Republican party.

Barker held several jobs before establishing his own real-estate firm in Miami, a former employer of his told The Miami News. Robert E. Marx, a Miami realtor, said they met three or four years ago when Barker managed a store in the Central Shopping Plaza. Marx said Barker obtained a real-estate license, joined a local firm and later went to work for him.

"He worked for me about a year and a half as a real-estate salesman," said Marx. "He left eight or 10 months ago and I haven't seen him since." Marx said they argued about the way Barker handled a sales contract, and "I was about getting ready to let him go. He was causing such ill-feeling in the office, shooting off his mouth about the way I was treating him."

Barker then opened his own real estate office, Barker Associates Inc., at 2301 NW 7th St.

There was no evidence to indicate that Suarez or Artime were in any way connected with the Washington raid.

The third alleged raider, Fran Sturgis — also known as Frank Fiorini — was reported to have been involved in the Bay of Pigs preparations in an active but lesser capacity than Barker. He is an American and a former marine.

In a letter to the editor of The Miami News, published March 30, 1960, Fiorini — he used that name rather than Sturgis — objected to previous letters from readers demanding better U.S.-Cuban relations.

In Cuba, he wrote, "we have seen on multiple occasions how human rights were violated, how representative democracy has been denied to the people, how the U.S. government has been accused of imperialism, our President and State Department officials ridiculed; and worst of all, how Castro has unfurled the Communist banner in America, trying to subvert our Western civilization . . .

"I am an American citizen, and it was my love for democracy and personal liberty that led me to fight dictator Batista. But today I denounce Fidel Castro as a traitor to the Revolution and a traitor to America."

The two other alleged members of the raiding party — Eugenio R. Martinez and Virgilio R. Gonzales, both of Miami — were also reported to have been active in anti-Cuban movements.

Martinez is a real-estate agent and a Florida notary public. Gonzales is a locksmith.

"Miami News" 6/19/72

(Mount Clipping In Space Below)

Cash Seized at Demo HQ From Miami, FBI Finds

By ARNOLD MARKOWITZ
Herald Staff Writer

Some of the $6,300 seized from five men arrested Saturday at Democratic Party headquarters in Washington has been traced to the Federal Reserve Bank in Miami by federal investigators trying to learn who else was involved in the burglary.

Police sources in Washington said Tuesday that the FBI was checking banks in both Miami and Philadelphia, where some of the cash was also believed to have been issued.

The investigators failed to find any bank that handled the money in Philadelphia.

THE MIAMI MONEY was traced by means of the consecutive serial numbers on the $100 bills, still wrapped in paper bands when the men were captured on the sixth floor of the Watergate office building at 2600 Virginia Ave. NW.

But prospects were uncertain Tuesday that the money could be traced along its entire route after leaving the Federal Reserve office at 3770 SW Eighth St., Miami.

The Federal Reserve Banks are regional outlets of the U.S. treasury Department. In effect, they are banks for banks.

Presumably the money was distributed by Federal Reserve to a local commercial bank. But one banker told The Herald that a complete record of the money's movements may not be available if it went through other banks before coming into the possession of the five suspects, four of whom are from Greater Miami.

IT ALSO IS possible, one source said, that the money had moved through other cities.

But if it can be traced along its route, investigators may discover whether the money was withdrawn from a bank by one of the suspects or by another person. This aspect of the investigation would appear to offer the best chance to learn if anyone else was involved.

There were these other developments on Tuesday:

● It was revealed that diagrams of two ballrooms in the Doral Beach Hotel in Miami Beach were found among the belongings of the suspects. The rooms are being prepared for use by Sen. George McGovern during the Democratic National Convention next month.

● The New York Times reported that former CIA agent Howard E. Hunt, who helped direct the bay of Pigs invasion of Cuba in 1961, met with one of the suspects two weeks ago in Miami. Hunt, now an advertising writer, is a part-time consultant to White House special counsel Charles W. Colson.

● It was learned that one or more of the suspects apparently tried recently — for reasons that are not known — to make housing arrangements here for members of the Young Republicans.

THE ROUGH diagrams of the Regency and Mediterranean ballrooms at the Doral Beach Hotel, 4833 Collins Ave., were found in an address book owned by one of the suspects, The Washington Post reported.

On one of them the word "May," was written — an apparent reference to the month of May and a possible indication that the two rooms were bugged with listening equipment then.

David Johnson, general sales manager of the hotel, was amused when he was told about the diagrams Tuesday night.

"The Nixon people, theoretically, have as much information on our facilities as the McGovern people do," he told The Herald. "We have the honor to be not only the McGovern headquarters, but also the Nixon headquarters.

"THE SAME rooms will be used by both parties."

Johnson said the Regency room would be used for caucuses by McGovern supporters (a spokesman for McGovern said meetings there would be open) and by Nixon for a staff mess hall. The Mediterranean Room will be used by both candidates as press headquarters.

"The Regency room has at least four doors and anybody could listen if they wanted to," Johnson said.

"I'm sure no one besides myself and a privileged few others know who's going to be sleeping in what rooms.

"They'd have to bug the whole damned hotel to find out any secret information."

THE MEDITERRANEAN room, the largest, is 183 feet long by 59 feet. It usually is divided into three rooms.

The Regency measures 86 by 36 feet. Both are lavishly decorated — the Mediterranean in light blue with fancy

"Miami Herald" 6/21/72

92



Charles W. Colson
... White House aide

scrollwork in the carpets and drapes and the Regency in gold and dark green.

Meanwhile, more than 100 FBI agents were assigned to the case in Washington, where it has been given top priority. The FBI's Miami office also went to work on it, interviewing relatives, friends and business associates of the suspects in search of background information.

Two of the suspects — Bernard L. Barker, of 5220 NW Fourth St., and Eugenio Rolando Martinez, of 4044 Meridian Ave., Miami Beach, work out of a second floor real estate office at 2301 NW Seventh Street.

BOTH HAVE been active in undercover work for the U.S. Department of Defense and the CIA at different times.

They probably first met late in 1959, when both became part of the anti-Castro underground.

While Barker was helping people to escape from Cuba, Martinez operated a weapons shuttle into Cuba. Barker left Cuba in mid-1960 and began operating from Miami. Martinez ran guns to Cuba until shortly before the Bay of Pigs invasion.

EXILE SOURCES in Miami said Tuesday that once he reached the United States, Barker became a CIA agent linking the operations of the Consejo Revolucionario Cubano (Cuban Revolutionary Council) and working as a courier for U.S. agencies planning the Bay of Pigs raid.

According to The Times, Howard E. Hunt helped direct the invasion. He used the code name "Eduardo," The Times said, and Barker was his chief aide.

For the past year, Martinez has worked for Barker in his condominium sales office at 2301 NW Seventh St. Both are said to be more idealistic than materialistic by Cuban exiles who know them.

About two weeks ago, a man named Eugenio R. Martinez went to the office of James Grimm, director of housing at the University of Miami.

GRIMM SAID Tuesday that the man handed him a real estate agent's calling card but did not say much. A companion, whose name Grimm could not remember, did most of the talking.

The other man identified himself as a representative of the Young Republicans and said he was seeking housing accommodations for 3,000 Young Republicans during the party's national convention in August.

"He said he was a member of some sort of board or arrangements committee," Grimm said.

Grimm said he turned down the request for housing facilities because there would be no time to prepare the dormitory rooms for students arriving in September.

HE SUGGESTED they try the Coral Gables Chamber of Commerce or the Lindsey Hopkins, a hotel operated as a training facility by Dade County School Board.

Mrs. Hal Mordaunt at the Chamber of Commerce and room clerk Vincent Tore at the Lindsey Hopkins said Tuesday that they had received telephone calls from a man seeking a large number of housing accommodations about two weeks ago. Both said they were unable to help him.

Frank Florini, who also calls himself Frank Sturgis, is the best known of the five suspects.

He was a publicity-seeking spokesman and battler for Cuban exile causes in the 1960s. Florini, a native of Virginia, lives at 2515 NW 122nd St., west of North Miami.

AMONG FIORINI'S last known Cuban exile associations was Cubanos Unidos (United Cubans). The organization's claims, beyond its existence, are strongly doubted by established exile groups.

Florini and a man named Kaiser came to The Herald's Latin America desk about two years ago, claiming to have access to about $40 million furnished by unnamed "international anti-Communist industrialists."

They also claimed to have an invasion force recruited, but they could offer no evidence to back their claims.

Kaiser claimed to have been an ex-paratrooper, former French Foreign Legionnaire and dedicated anti-Communist. Exile sources in Miami say the only Cubans known to be involved in Cubanos Unidos are two brothers.

In Washington, Police Capt. Dudley Hunt, night supervisor of the Washington police detective bureau, said he had not heard Kaiser's name mentioned in the case.

Democrats Tighten Beach Security

He said a report that one of five men arrested — James W. McCord Jr. — visited the Fontainebleau Hotel 10 days ago "raises considerable concern to us," since that is where the Democrats are setting up their convention offices.

"Key offices" would be "swept on a daily basis" by the telephone company and a private security firm to check for electronic "bugs" Murphy said.

He added that "special security" is being added to the party's offices, on three floors of the Fontainebleau. He did not elaborate.

Tightened security and daily searches for electronic surveillance equipment are being planned for next month's Democratic National Convention after Saturday's break-in at the party's Washington offices.

Richard J. Murphy, manager of the July 10-13 convention, said Tuesday that the "outrageous attempt at political espionage in our office" had caused more elaborate security plans for the party's Miami Beach offices.

(Mount Clipping in Space Below)

Fifth Kept at $50,000

Bonds Eased for Four In Demo HQ Break-In

'Ameritas' — It's a Realty Firm 14A
Convention Hall Keys Missing 1B

By CLARK HOYT
Herald Washington Bureau

WASHINGTON — Superior Court Judge James A. Belson Thursday eased bond requirements on all but one of the "Watergate 5," the men arrested in the alleged bungled attempt to bug Democratic national headquarters last week.

The five, dressed in dark business suits and open-collar sports shirts, seemed alert and relaxed while their attorney, Joseph A. Rafferty Jr., described them as solid citizens and prosecutor Earl Silbert protrayed them as frightened criminals who might try to escape justice if released.

The bail hearing was the first public appearance for Bernard L. Barker, Frank A. Sturgis (also known as Frank Fiorini), Eugenio R. Martinez and Virgilio R. Gonzales — all of Miami — and James W. McCord, of Rockville, Md., since their arrest at 2:30 a.m. Saturday in the Democratic offices which are located in the plush Watergate Hotel.

AFTER LISTENING to almost three hours of arguments, Belson agreed to ease the bond requirements for all of the defendants except Sturgis. At the same time, the judge said: "The weight of evidence is extremely strong for the government as it has been presented thus far."

Attorney Rafferty said he

Miami Herald
6/23/72

expected the four to post bond and be released from the D.C. jail today.

Meanwhile, the government revealed new bits of evidence at the bail hearing.

● One of the men, McCord, who was fired this week as security coordinator for President Nixon's reelection committee and the Republican National Committee, made recent trips to New Hampshire, Chicago and Miami, where he rented two apartments.

(Silbert, principal assistant U.S. attorney, offered no further details and no explanation for the trips. But he cited them in arguing against a reduction in the $30,000 bond set for McCord.)

● Sturgis, one of four Miami men arrested with McCord, was carrying a document apparently issued by the government of Mexico to Edward Hamilton, the alias Sturgis first gave police. Silbert questioned whether the document might be some sort of passport or travel visa and cited it as evidence that Sturgis might try to flee the country if set free before his trial.

● Authorities are "investigating not only into this episode (the attempted bugging) but others perhaps related to it," Silbert said without elaboration.

Silbert told Belson that there was an "immediate prospect" that federal charges will be filed against the five. It was the first public indication of this, although it has been known that the FBI is investigating possible violations of federal anti-bugging laws in connection with the case.

For the moment, the men are charged only with second-degree burglary.

Belson reduced bond for Barker, Gonzales and Martinez from $60,000 to $40,000, with the provision that they could be freed upon posting 10 per cent, or $4,000, with the court.

He said the three would have to remain in the Washington area until after a preliminary hearing set for next Thursday. After that, the judge said, the men can return to Miami, where they will be required to report in person four days a week — and by telephone the other three days — to the Dade County Pretrial Release Program.

BELSON ALSO stipulated that they could not enter the city of Miami Beach, where the Democratic National Convention will open next month.

McCord's bond remained at $30,000, but the judge said he could be freed upon posting $3,000 in cash with the court.

After Sturgis claimed he could not account for the Mexican document seized from him when he was arrested, Belson left his bond at $50,000, all of which must be posted before Sturgis can be freed.

The judge said that before any of the men could be released, he would have to be satisfied as to the source of the cash they posted.

When they were arrested, police seized an estimated $6,300, much of it in crisp $100 bills. Some of it has been traced to the Republic National Bank in Miami, where Barker has an account.

DURING THE bail hearing, Barker, 54, a Miami real estate man who has been named as the ringleader of the group in some reports, smiled broadly at his daughter, Mrs. Maria Moffett, and embraced her briefly when she came forward as a character witness. They were quickly separated by U.S. marshals.

The slender, dark-haired Mrs. Moffett, 25, said she is a former secretary to U.S. Rep. Claude Pepper (D., Fla.) and now works as "a very prominent insurance agent" with the Prudential Life Insurance Co. in Bethesda, Md.

She said that she has known Sturgis "ever since I was a child" and that he and his family used to come to her father's home to swim in the Barkers' pool and play pinochle.

But, under cross examination by Silbert, she conceded that she never knew how Sturgis made his living. "My upbringing doesn't permit that kind of question," she explained.

Rafferty revealed that no commercial bail bondsmen in Washington had been willing to post bail for his clients.

SILBERT CONTENDED that bondsmen are "pretty good at evaluating risks."

He pictured McCord as "ruined, in effect," since his arrest. "This is a person allegedly a respected member of his community. How is he going to face his neighbors, the members of his church?" Silbert asked.

The four Miamians, the prosecutor charged, were mere "soldiers of fortune" likely to skip the country to Latin America, where they could fit comfortably in because of their Latin ties.

Barker's daughter disputed Silbert's descriptions. "They are all people that have resided in this country," she said of her father and his companions. "They are law-abiding citizens who love this country, and I do not think they would do anything to violate the orders of this court."

MEANWHILE, E. Howard Hunt Jr., the part-time White House consultant whose name has been linked to the episode, surfaced briefly Thursday through a cryptic midnight telephone call to his employer and then dropped from sight again.

The employer quoted Hunt as saying he wanted to get away from "press harassment."

Hunt, a retired CIA official and prolific spy novelist, first dropped from sight Tuesday after it was reported that his name — plus the notations "W.H." and "W. House" — was found in address books seized from two of the men arrested in the Democratic headquarters.

Robert Bennett, president of Robert R. Mullen and Co., a Washington public relations firm where Hunt worked as a writer, suspended Hunt from the payroll when he failed to show up for work Wednesday morning.

Bennett said Thursday that he received a long-distance telephone call from Hunt shortly after midnight Thursday.

"HE CALLED me at home and told me that because of the effect of press harassment on his children, he felt he had to leave the city and remove himself from this atmosphere," Bennett said.

Meanwhile, Joseph Mohbat, press secretary for the Democratic National Committee, said that he and Party Chairman Lawrence O'Brien inadvertently had given out inaccurate information Wednesday.

Mohbat said that, contrary to what they had reported, a diagram of O'Brien's Miami headquarters was not found among the suspects' belongings and a file on O'Brien's personal and travel expenses was not missing.

95

(Mount Clipping In Space Below)

Demo Break-In, Cash Transfer Linked

By CLARK HOYT
Herald Washington Bureau

WASHINGTON — The attempted bugging of Democratic national headquarters followed a mysterious transfer of $89,000 from Mexico City to the Miami bank account of one of five defendants in the case, the government said Friday.

Assistant U.S. Attorney Earl Silbert said part of the money, in the form of new $100 bills, was seized by police when the five were arrested before dawn last Saturday in the Democratic offices.

Silbert said Miami real estate man Bernard L. Barker withdrew the $89,000 in cash on May 8 from the account of his real estate firm, Barker Associates, at the Republic National Bank at 10 NW LeJeune Rd. in Miami.

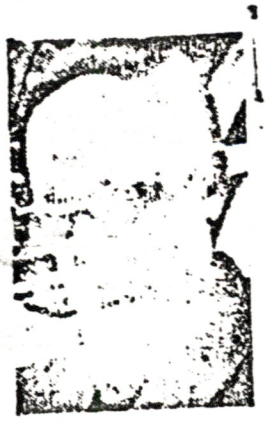
AT A BAIL hearing in Superior Court, the prosecutor said the money came from Banco Internacional of Mexico City and "may or may not tie in with" a Mexican visa found on one of Barker's co-defendants, Frank A. Sturgis (also known as Frank Fiorini) of Miami.

The visa, issued to Edward J. Hamilton, the alias Sturgis used when arrested, was good for travel in and out of Mexico between Jan. 7 and April 6 of this year, Silbert said. He added that the $89,000, in four checks, was deposited on April 24 in Barker's account.

Silbert did not reveal any information about the account or accounts on which the checks were drawn. But other federal sources indicated that the signatures on the checks were illegible.

Silbert brought out his intriguing new evidence in an attempt to persuade Judge James A. Belson that Barker, who has strong links to the anti-Castro Cuban movement, might try to flee the country rather than stand trial.

BELSON, apparently swayed by the prosecutor's argument, refused to release Barker on bond and said he



Bernard Barker
... withdrew cash

Miami Herald
6/24/72

would rule Monday on a government motion to increase the bond to $50,000 or even more.

"Any person with $89,000 in cash has a high degree of mobility," Belson remarked.

Barker, appearing rumpled and unshaven in the same dark blue business suit in which he was arrested, slumped momentarily and hung his head before regaining his composure.

Only Thursday, the judge had reduced Barker's bond to $40,000 and said he could be released upon posting a cash deposit of $4,000. Barker's daughter, Mrs. Maria Moffett of Alexandria, Va., had come to the crowded courtroom with the $4,000 expecting that she would be taking her father home with her until his pretrial hearing next Thursday.

The attorney for the five defendants, Joseph A. Rafferty Jr., said the bail money had been raised from Mrs. Moffet's savings, and contributions from her father-in-law in Bethlehem, Pa., and her grandfather, Dr. Miguel Alvarez of Miami.

MRS. MOFFETT, kept apart from her father by U.S. marshals, called out to him in Spanish to ask why he had not shaved.

He replied in English that his razor was dull but assured her with a smile, "Don't worry. I've got everything I want."

She then followed forlornly as Barker and the other four were led in handcuffs to a paddy wagon that took them back to the District of Columbia jail.

In other developments in the Democratic headquarters case:

● One of the defendants, James W. McCord, was ordered released by Belson after posting a $3,000 cash deposit on his $30,000 bond.

McCord, who was fired as security coordinator of President Nixon's reelection committee and the Republican National Committee after his arrest, raised the bail money from the bank account of his private security firm. The judge required him to remain in the Washington area and get a new job within 15 days.

Reagan: No Dishonor In Political Spying

LOS ANGELES — (UPI) — Gov. Ronald Reagan said Friday that he knew from experience that "espionage is not considered dishonorable" in political campaigns.

The California Republican governor made the remark in answer to questions by newsmen about the recent arrest of five men with eavesdropping devices in the Democratic National Committee headquarters in Washington.

"Anyone who pretends that things of this kind are not part of politics hasn't taken into consideration the fact that the firm of one man, who has a business to guarantee security, had been hired by the Republican National Committee to provide security for their offices," he said.

"That would indicate that in politics people know that a certain amount of snooping goes on from both sides. I know from my own two campaigns that you are well aware that espionage is not considered dishonorable in political campaigns."

● Syndicated columnist Jack Anderson made an appearance in the case and offered to take custody of Sturgis, whom he described as a longtime friend. Despite Anderson's plea, however, the judge refused for the second day in a row to lower Sturgis' $50,000 bond.

● Anderson told reporters outside the court room that he believes the ringleader of the abortive bugging attempt was E. Howard Hunt Jr., a parttime White House conminute conversation with Sturgis at the District of Columbia jail earlier this week sultant and retired CIA official who has dropped from sight. Anderson had a 20-

● The remaining two defendants in the case — Virgi-

lio R. Gonzales and Eugenio R. Martinez, both of Miami — were unable to raise money for bail and were returned to jail. Rafferty said they might be able to come up with enough cash — $4,000 each — by Monday.

Anderson, speaking with newsmen before he took the stand, quoted Sturgis as saying he had been hired by Barker. Anderson said of Sturgis, also known as Frank Fiorini, "He's a soldier. He said he was working for Barker."

Anderson added: "The people who came up from Miami, except for Barker, didn't know the Washington people."

Anderson did not explain who he meant by "the Washington people." But, he added, "I think Hunt was the leader."

THE COLUMNIST smiled and declined comment when asked if Sturgis said he had seen Hunt on the trip to Washington for the bugging attempt.

In sworn testimony, Anderson said he bumped into Sturgis by chance at Washington National Airport last Thursday or Friday. Police have said Sturgis and the other Miamians arrived here late Friday afternoon.

Sturgis introduced Gonzales, Anderson said. He added that he was rushing to catch a plane to Cleveland and did not have a chance to talk with Sturgis.

Anderson's attempt to help Sturgis was doomed after prosecutor Silbet disclosed evidence suggesting that Sturgis had gone to some lengths to cloak himself with the false identity of Edward Joseph Hamilton of Attleboro, Mass.

Silbert produced these documents he said were seized from Sturgis: a birth certificate for Edward J. Hamilton, born Oct. 9, 1918, in Jersey City, N.J.; a Massachusetts driver's license for Hamilton; an international vaccination certificate, again for Hamilton; a Florida driver's license, a Social Security card, a Hertz rental car credit card and a membership card for the Racquet Club of Miami — all made out to Hamilton.

"We almost don't know who this man is," Silbert said, "We don't know where he goes, what he does. His activities are a total mystery."

Silbert said Belson would be taking "an unreasonable risk" to lower bond for Sturgis.

By ARNOLD MARKOWITZ
Herald Staff Writer

Bernard L. Barker, a suspect in the attempted bugging of Democratic Party headquarters, tried last year to obtain architectural plans for the Miami Beach Convention Center, where the party's national convention will be held next month, according to a Miami architect.

When he failed to get the plans, said architect Leonard Glasser, Barker made another request — for architectural drawings of the center's air conditioning system.

Glasser said he has known Barker for about two years and has done business with him on real estate projects in which Barker, a broker, has been involved.

Why did Barker want architectural plans of the Convention Center?

"HE SAID HE had some people who wanted to build a convention hall in Puerto Rico," Glasser said. "I lived in Puerto Rico for about seven years, so I indicated an interest, and he asked me if I could get a set of the plans of the Miami Beach Convention Hall."

Glasser said he thought at the time that Barker's requests were weird but eventually forgot about them.

After Barker and four other men were caught by police in the party offices, it was discovered that among their belongings were rough diagrams of two ballrooms at the Doral Beach Hotel in Miami Beach.

Those rooms are reserved for Sen. George McGovern during the Democratic National Convention. Reading news reports of the discovery, Glasser was reminded of the earlier conversations with Barker.

"I'M NOT SURE of the date, but it was about eight months ago," Glasser said. "The time is important, because at that time only the Democratic convention was scheduled here."

Glasser's connection with Barker is a result of coincidence: Glasser used to have offices on the second floor at 955 SW First St. Miguel Suarez, a lawyer with whom Barker has had real estate dealings, also occupied that floor, as he does now. The law firm and the architectural firm shared a conference room, Glasser said.

A business relationship developed between Glasser and Barker, Glasser said. They worked together on a number of real estate development projects.

"I was doing a job, a parking garage, for the city of Miami Beach at the time," Glasser said.

"I have constant contact with the city. So I called over there and asked if they had a set of plans, and they said they did not. They said it was not available."

(Mount Clipping In Space Below)

Baffling Story Leaves Many Questions

The Watergate-Five Mystery Thriller Spins Web of Intrigue About Miami

By DON BOHNING
Herald Staff Writer

Sherlock Holmes might have entitled it, "The Case of the Bungled Bug."

But eight days after the abortive attempt to bug the Democratic National Committee headquarters in Washington's swank Watergate complex, the solution is far from elementary, my dear Watson.

Instead, each new day brings a development more bizarre than the ones that preceded it in an ever-expanding plot that puts Holmes, Ellery Queen and Eric Ambler to collective shame.

By week's end, a tangled web of intrigue had emerged involving foreign bank accounts, soldiers of fortune, anti-Castro revolutionaries, phony identities, memories of the Bay of Pigs, former top-level CIA employes, the White House and a multitude of other baffling elements.

The Herald team which contributed to this special report includes Washington correspondent Clark Hoyt and staff writers Roberto Fabricio, Arnold Markowitz, Raul Ramirez and James Savage.

It all served to enhance the image of Miami, where much of the action unfolded, as the Casablanca of the Caribbean. But it did little to resolve the one basic and most perplexing question.

Why would anyone expend so much time, money and energy to bug the Democratic headquarters in the first place?

No state secrets are to be found there and neither, presumably, are the most closely held secrets of the Democratic Party thrashed out there. And even if they are, who could possibly find them valuable enough to make the risk worthwhile?

The unanswered questions presuppose, as the available evidence now seems to indicate, that more people are involved than the five arrested in the sixth floor of Democratic offices of the Watergate at 2:30 a.m. Saturday, June 17.

Police already have said they are seeking four additional unidentified persons who had registered at the Watergate two weeks earlier as part of a group that included four of the five arrested.

Of the four being sought say police, two are from New York, one from Kansas and one from Miami. One is said to have a Spanish surname.

Of the five arrested, four are from

Miami Herald
6/25/72

Miami and one, James W. McCord, is from Rockville, Md., a Washington suburb.

The revelation that McCord, a former high-level CIA employe, was security coordinator for the Committee to Reelect President Nixon, was what spurred the frantic efforts to ferret out further details and fueled furious speculation, some of it as bizarre as the incident itself.

McCord was promptly fired by an embarrassed former Attorney General John N. Mitchell, now heading the President's reelection campaign, who declared that McCord "was not operating either in our behalf or with our consent. I am surprised and dismayed at these reports."

THAT WAS Sunday, a day after the aborted bugging.

By Monday, rumors already were circulating that E. Howard Hunt, writer for a public relations company, White House consultant, spy novelist and another one-time, top-level CIA employe, was also implicated.

Tuesday The New York Times reported that Hunt recently had flown to Miami to meet with Bernard Barker, a Cuban-born American citizen, local real estate man, and an ex-CIA operative known as Macho, who was especially active during the period leading up to the disastrous 1961 Bay of Pigs invasion. He also was among the now notorious Watergate Five arrested in the Democratic offices.

Hunt dropped from public view. He was suspended from the payroll of the Robert E. Mullen and Co. public relations firm where he had worked as a writer since 1970 "as an employe absent without excuse."

EVENTS — and non-events — began tumbling out on top of each other.

Among them:

● Democratic National Chairman Lawrence O'Brien filed a $1-million damage suit against President Nixon's reelection committee.

● The FBI traced some of the $6,300 cash — mostly in consecutively numbered $100 bills — seized on the Watergate Five or in their hotel rooms to the Republic National Bank of Miami.

Later in the week it was disclosed that Barker recently had transferred $89,000 from a Mexico City bank to his account at the same Republic National Bank. He withdrew the entire bundle, in cash, on May 8.

● Short-lived reports of a shadowy, right-wing, anti-Castro organization, called Ameritas, came to light when it was learned that those arrested said they represented Ameritas on hotel registration forms. Ameritas turned out to be a Florida real estate corporation formed in 1969 by Miguel Suarez, one-time unsuccessful candidate for Dade County mayor, staunch Nixon supporter and a Miami business associate of Barker. Suarez said the name Ameritas had been used without his knowledge in making reservations for the group at the Watergate and on hotel registration cards.

● Frank Sturgis, another of the arrested Watergate Five and better known in Miami as Frank Fiorini, long a familiar figure among the area's soldiers of fortune, turned up with a complete set of false identification papers and a Mexican visa in the name of Edward Joseph Hamilton.

● Muckraking syndicated columnist Jack Anderson showed up at a bail hearing Friday to vouch for Sturgis and unsuccessfully plead that his long-time friend be released in Anderson's custody.

Anderson, who had spoken with Sturgis in jail earlier in the week for 20 minutes, told newsmen he thought "Hunt was the leader."

● In Miami, it was discovered that sometime last year Barker had made an effort to obtain architectural plans for the Miami Beach Convention Center, where the Democrats will hold their national convention, beginning July 10.

When he failed to get the convention center plans, he made another effort, also unsuccessful, to obtain architectural drawings of the center's air-conditioning system, which at the same time would have provided him with the location of attic space.

● Numerous speculative reports appeared linking the whole affair to anti-Castro Cubans and others concerned that the Democrats, if they win the November elections, might decide it's time for a rapproachment with the Castro regime. At this stage, at least, the reports appear to be founded more in guesswork than gospel.

Yet, they only contributed to the mounting mystery that began shortly before 2 a.m. June 17 when Frank Wills, a 24-year-old security guard at the Watergate complex, noticed that a door connecting a stairwell with the hotel's basement garage had been taped so it would not lock.

WILLS REMOVED the tape, but when he passed by about 10 minutes later a new piece had been put on. He called police.

Three scruffily dressed plainclothes officers, some of whom were described as having shoulder-length hair, from Washington's "Mod Squad," responded.

They discovered that from the basement to the sixth floor, every door leading from the stairway to a hallway had been taped to prevent it from locking.

At the sixth floor, where the stairwell door leads into the Democratic offices, they found the door had been jimmied.

They discovered, huddled around a secretary's desk in an anteroom just outside party chairman O'Brien's office, McCord, Barber, Sturgis and two Cuban-born Miamians, Eugenio Rolando Martinez and Virgilio Gonzalez.

A DEMOCRATIC Party official called to the scene shortly after the arrest quoted police as saying the five men were terrified when first caught, and had jumped up yelling, "Don't shoot. Don't shoot." They were said to have appeared relieved when they discovered it was the police, leading to speculation they might have thought it was some other group breaking into the offices.

All five men were wearing surgical gloves. They were all unarmed except for teargas pens

Police said they had with them at least two devices capable of picking up and transmitting oral and telephone conversations. In addition, police found lockpicks and door jimmies and almost $2,300 cash. The five also had with them walkie-talkies, a shortwave receiver, 40 rolls of unexposed film and two 35 mm cameras.

Several of the party offices had been ransacked, and paneling in a wall adjacent to O'Brien's office had been removed, ostensibly to place electronic hearing devices, or to remove them as one theory had it.

BY ONE ACCOUNT, the five were in the offices at least 20 minutes before police surprised them.

But what and who brought them there is as baffling now as it was then.

Fewer than 24 hours before they were caught, it was pretty much business as usual for the four Miamians involved.

Sturgis checked in Friday morning, June 16, at the Pan American Aluminum Corp., where he worked as a commission salesman.

Gonzalez, who was born in Cuba but came to Miami 20 years ago, went to work the same morning at the Missing Link Inc., 221 NW 8th Ave., where he worked as a locksmith. He told the dispatcher, however, that he would be

quitting at noon rather than at the normal 5 p.m.

BARKER, whose real estate firm Barker and Associates Inc., is located at 2301 NW Seventh St., dropped by sometime Friday morning to see his attorney and associate, Miguel Suarez at Suarez's law office on SW First Street.

Barker, says Suarez, came in to discuss several real estate ventures the two are involved in.

"It was all very casual," said Suarez. "He came in like every day. He talked for a while and then took off."

Martinez, who works for Barker and who recently separated from his wife, showed up in Circuit Court at 11:45 Friday morning, June 16, for a divorce hearing. The hearing broke up about 12:15.

Police say Sturgis, Baker, Gonzalez and Martinez arrived at Washington National Airport that afternoon.

There they picked up a black Chrysler with Virginia plates renting at $18 a day and 17 cents a mile and leased in the name of Bernard L. Barker from the Avis Car Rental agency.

LATER THE same day they were to register at the Watergate Hotel under fictitious names. Police sources say the same quartet also had stayed at the Watergate May 26-29 as part of a group that included the four other people police now are seeking and perhaps one woman who was not registered. Coincidentally, an attempt was made May 28 to unscrew a lock on the door of the Democratic National Committee offices.

While the motivation of the Watergate Five remains a mystery, their backgrounds, plus that of Hunt, become increasingly exposed to public scrutiny.

It seems likely that the paths of all six, with the possible exception of Gonzalez, may have crossed in Miami during those swashbuckling, anything-goes revolutionary days of the late 1950s and early 1960s when the U.S. government was actively engaged in trying to oust Fidel Castro.

HUNT, WHO retired from the CIA in April 1970 has been described as one of the top CIA figures involved in the Bay of Pigs invasion and who used the code name of Eduardo.

McCord, who also retired in 1970 after 19 years' service with the CIA and prior service with the FBI, also is said to have been involved in the Bay of Pigs operation.

It is widely acknowledged in Miami's Cuban community that both Barker and Martinez were involved in activities leading up to the Bay of Pigs, with the Cuban-born Barker apparently playing at least a middle-level role as the liaison with Manuel Artime, the invasion brigade's civilian leader.

And Sturgis, if not directly involved in Bay of Pigs activities, long has been involved in South Florida's revolutionary subculture.

Only in the case of Gonzalez is there no public indication of a past involvement in revolutionary activities.

FRIENDS, acquaintances, co-workers and neighbors see all six from varying perspectives, with Hunt emerging as the most puzzling character in the cast, and McCord and Gonzalez the most unlikely.

Hunt, 54, was hired by the Mullen company in 1970, shortly after he retired from the CIA "in good standing."

He listed three references on his job application. They were: Richard Helms, the CIA director; conservative columnist William F. Buckley and White House special counsel Charles W. Colson who also recommended Hunt for the White House consultant's job.

White House assistant Kenneth Clawson says Hunt was employed as a $100-a-day consultant beginning July 6, 1971. He worked 63 days in 1971 and 24 days this year, the last of which was March 29, according to Clawson. He is still considered a White House consultant until the fiscal year ends.

HUNT HAD, according to Clawson, two White House assignments, both of which he completed. The first was to assist in declassifying Defense Department material after the Pentagon papers scandal. The second was to evaluate intelligence on drug traffic coming in from various departments.

Hunt apparently joined the CIA in 1949, a year after he entered government service as an attache at the U.S. embassy in Paris.

He lists himself in the 1969 edition of Who's Who as retiring from government service in 1965 to join the business of Littauer and Wilkinson, 500 5th Ave., New York City.

But the New York telephone company has no listing for a Littauer and Wilkinson, and it is known that Hunt did not leave the CIA until April of 1970.

ONE OF THE more interesting aspects of Hunt's nonprofessional career is the proliferation of pulp novels he turned out, 45 of them, running the gamut from near pornography to spy thrillers, adventure tales, war stories and science fiction.

Some were written under the name of Howard Hunt, others under pen names, one of which was John Baxter.

His last book entered in the Library of Congress file is "Gift for Gomala," the tale of a small, imaginary African nation, written in 1952 under the name of John Baxter.

In a remarkable coincidence, several of the aliases used by suspects in the bugging case come close to names of characters in Hunt's novels.

THE HERO of "Bimini Run," an adventure story published in 1949, is an ex-Marine drifter-gambler named Hank Sturgis.

In "Stranger in Town," a book written in 1948, one of the characters is a French Resistance girl named Jeanne and another is a woman named Mathilde Valdes.

Martinez, one of the five men arrested in the Democratic offices, first gave police the phony name of Jene Valdes.

In "Maelstrom," a Hunt adventure story written in 1948, the central character uses the alias of Martin in fleeing from the United States to Mexico to escape a Senate investigation. When McCord was arrested, he first gave his name as Edward Martin.

Hunt, who lives with his family in the affluent Washington suburb of Potomac, Md., is described by one acquaintance as the perfect spy.

"HE'S EXACTLY the kind you'd pick for a spy because nobody'd ever look at him twice. If you tried to describe the man you couldn't do it."

It is borne out in practice.

A co-worker described him as about six feet tall, medium build, light brown and greying hair and a conservative dresser who wore mostly white shirts mixed with an occasional blue.

"Really nondescript. Just an ordinary guy."

Another acquaintance described him as being of slight build, about five foot, six inches tall with sandy, thinning hair.

A resident of the estate area of Potomac where the Hunt family lives in a one-story, red brick, rambler-style home on a two-acre plot dubbed "Witch's Island," says of the Hunts:

"I don't think anybody in the neighborhood know them well. They are very, very stand-offish. They studiously have avoided the neighbors."

DURING THE four years the Hunts have lived in Potomac, they have employed a series of Spanish speaking maids. Mrs. Hunt reportedly works as an English language translator for the Embassy of a Spanish speaking country.

Robert Bennett, Hunt's boss at the Mullen company, says Hunt is a Republican but one he couldn't categorize as either a conservative, a moderate or a liberal.

Not far away, in suburban Rockville, Md., lived James W. McCord, the GOP security man arrested in the Democratic offices and who, until two years ago, had been one of the CIA's highest ranking security officials.

Friends, co-workers and former associates all express shock and amazement at the 53-year-old McCord's involvement in the bizarre episode.

"Usually you can spot fellows who will have trouble in the future," a former security official who worked with McCord at the CIA, told a reporter last week.

"This guy moved up the ranks to higher and higher responsibility. He had good fitness reports, he was not a wheeler-dealer, he always made a nice appearance. People had a lot of confidence in him and he was liked and respected."

THE IMAGE of McCord projected by friends, neighbors and co-workers was that of a sensible, rational, calm individual, congenial and approachable, sensitive to local neighborhood issues and a man who devoted a great deal of time to his children and civic activities.

Although he is said to have had a broad background in the security field with the CIA, his primary concern reportedly was protection of the CIA plant.

McCord, a native of Texas, graduated from Baylor University in Waco as did his wife, Sarah. A son, Michael, is enrolled in the U.S. Air Force Academy, and a daughter, Carol Anne, will be a sophomore next year at Madison College in Harrisonburg, Va.

The couple also has a slightly retarded 14-year-old daughter with whom neighbors says McCord spends hours playing and helping her to read and write.

McCord retired from the CIA, in 1970 to set up his own security consulting firm, McCord Associates Inc., with offices in Rockville. He was hired as security coordinator for the Nixon campaign beginning Jan. 1 of this year at a take home salary of $1,209 a month. He had recently been in Miami to check out security for the Republican convention to be held in August. It was disclosed in court Thursday that he has rented two apartments in Miami although their addresses were not given.

ANOTHER UNLIKELY character in the cast is Virgilio Gonzalez, 45, the locksmith from Miami who came to the United States to make his permanent home in 1961, well before the influx of either anti-Batista or anti-Castro refugees began arriving.

With him came his wife, Celia, daughter Maria, then nine months old, and his wife's son by a previous marriage. The couple now has another daughter, Iliana, 13. They have lived at their present NW 23rd Street residence for more than 13 years.

Gonzalez has worked at Missing Link since the 1950s except for a four-year period in the early 1960s when he was lent to the Florida Safe Service.

His wife, Celia, says he left for work as usual about 8 a.m. the morning of June 16. She has not seen him since.

When he arrived at work, he told the dispatcher that he would be quitting at noon and, according to the dispatcher, he did, although she is not certain what time he left.

ALTHOUGH GONZALEZ was due at work Saturday morning, his boss Harry Collot says he didn't call him because Saturdays are slow days and he wasn't needed badly. Collot did find it unusual that he hadn't called in.

Gonzalez is described by friends and relatives as a quiet, unassuming man who seldom talks politics and seemed, as one neighbor phrased it, "the last person in the world that would get involved in something like this."

"You couldn't ask for a better person," says Harry Ehrlich, who lives in a duplex next door to the Gonzalez' pink, two-bedroom home.

Ehrlich, who has known Gonzalez since moving in next door 13 years ago, was a witness for Gonzalez when he obtained his American citizenship last year.

Mrs. Gonzalez, Collot and other friends and neighbors say they had never heard Gonzalez mention any of the men arrested with him.

Collot describes Gonzalez as a "very, very, good worker. He has a very natural mechanical attitude and is very capable."

HE SAID Gonzalez' job is "primarily that of a safe mechanic" and his most important function with the Missing Link company is rebuilding burglarized safes.

Gonzalez' safe-opening skills, said Collot, are "maybe average, maybe not even that." Neither, said Collot, is Gonzalez particularly adept at picking locks.

Collot said he never discussed politics with Gonzalez but, "I feel he's hawkish, in a way a typically Cuban-American . . . he's pro-American, pro anything that the administration does fighting against communism, and anti-Castro."

Bernard L. Barker's participation in whatever it is he was participating in is much easier to understand.

Barker, like Sturgis and Martinez, has been immersed for more than a decade in the atmosphere of intrigue that has been as much a part of South Florida as palm trees and coconuts.

The 54-year-old Barker was born in Cuba of American parents and, before Castro, had spent much of his life on the island.

DURING World War II, however, he joined the U.S. Army where he reached the rank of captain. He was a prisoner of war of the Germans for at least the last year of the war. It was during this period, says one long-time acquaintance, that Barker became a super patriot.

He returned to Cuba after the war, where he reportedly became a member of the Buro de Investigations or the Cuban Bureau of Investigation under the Batista government.

After Castro took over, Barker apparently set up his own underground railroad, helping political refugees escape the Castro regime. Among the escapees was Artime, the civilian leader of the Bay of Pigs for whom Barker was later to become a liaison man with the American intelligence community.

BARKER, it is believed, was a frequent visitor to the Bay of Pigs invasion force training camps in Guatemala and, at the same time, was active in clandestine missions directed at Cuba. Presumably during this period he gained at least a middle-level position with the CIA.

By 1963, when the exile activity, subsided, Barker was making a living as a clerk in a Cuban clinic in Miami. It is there where he first met Miguel Suarez, a Cuban refugee fresh out of the University of Miami law school who was working in an administrative capacity at the clinic.

Suarez said the two hit it off and have been friends since.

Between 1964 and 1970, Suarez said he saw Barker off and on, with Barker holding a variety of jobs. In 1969 Barker obtained his real estate license and early in 1971 formed his own company.

AT THE SAME TIME, he formed an association with Suarez who became the attorney for Barker Associates, collecting legal fees from closings by Barker Associates.

In addition to the routine home and small apartment sales, the Barker-Suarez combination has collaborated in several major transactions, including the Biarritz Towers, a 27-unit building in Normandy Isles and The Sixty One, a 16-unit apartment building on Collins Avenue in Miami Beach. They also are developing a 45-unit building in Hialeah and a 27-unit building in North Miami.

Most, but not all, of Barker's friends and acquaintances describe him as a staunch anti-Communist with idealis

At the same time, he is described by some as "a Lord of the manor" type who shoves his weight around.

LOCAL EXILE GROUPS say Barker and Sturgis had actively sought support in the community for President Nixon's decision to mine North Vietnamese ports.

They helped organize a 200-truck parade through Miami of Cubans supporting the blockade. At the time they said they were representing a captive nations organization.

Barker generated some antagonism among the exiles by what one Cuban activist leader described as his "lack of manners" and the fact that he had "too much to say."

Barker's friendship with Sturgis apparently dates to the pre-Castro period.

His daughter, Mrs. Maria Moffett, 25, a former secretary of Florida Congressman Claude Pepper and now a resident of Bethesda, Md., said at bail hearing last week that she had known Sturgis "ever since I was a child."

OF THE FOUR Miamians involved in the bugging incident, it is Sturgis who is best known publicly, but under his former name of Fiorini.

His name has been in local news columns as an adventurer for nearly two decades. There is some suspicion that not all the exploits he has been associated with actually have taken place.

Sturgis is believed to be about 48 years old and has given his hometown as Norfolk, Va.

He has said he became involved in revolutionary activities when he traveled with his bride to Miami from Norfolk for a honeymoon and attended a rally by Fidel Castro who was then drumming up support to overthrow the Batista government.

HE WAS, said Sturgis, impressed by what he heard and eventually joined the Castro movement as a pilot. He broke with Castro in mid-1959, about six months after Batista's fall.

Since joining the anti-Castro effort in mid-1959, Sturgis has been involved in a variety of revolutionary activities but is not known to have been active with any of the major Cuban exile groups.

Presumably, he did at one time have at least some tenuous associations with the CIA but even that is uncertain.

In 1960 Fiorini, as he still called himself, was stripped of his U.S. citizenship and ordered to leave the country for his role as an active participant in the Castro revolution and his later anti-Castro efforts, including a leaflet drop over Havana in July 1959.

WITH FORMER Florida Sen. George Smathers and others coming to his assistance, citizenship was restored and Fiorini legally changed his name to Sturgis.

Whether as Fiorini or Sturgis, he has continued to be a would-be full-time revolutionary and part-time employe at a variety of jobs that have ranged from selling used cars to, most recently, selling aluminum windows.

In the early 1960s, Sturgis organized the International Anti-Communist Brigade, which, at one point in 1963, he claimed had 5,000 members of which 700 were actively training to combat communism "wherever it exists."

His most recent revolutionary escapade of note came in 1968 when a dozen others were seized by British Honduras authorities and held for 11 days.

THE SEIZURE, Sturgis claimed, thwarted what was to have been a commando attack on Cuba.

One long-time acquaintance of Sturgis calls him "a nice person, a fine person but he never got over being up in the hills fighting in Cuba . . . that's what he wants to keep doing."

Others aren't so charitable, including one Cuban exile active in the local revolutionary movement who says that Sturgis "is distrusted by serious revolutionary groups."

For the past 18 months or so, Sturgis, in between whatever else he is involved in, has worked as a commission salesman for the Pan American Aluminum Corp.

William J. Keefe, in charge of the company's Miami sales, said that Fiorini had been in Friday morning, June 16, "and we went over some orders that he had taken."

Keefe declined to discuss Sturgis personally but said that he was not "one of our better salesman."

HE COULD NOT, on what he sold for Pan American, make a decent living, said Keefe.

As a commission salesman, Sturgis could do as much or as little as he liked and his time was his own.

When he registered as a Democrat in 1962, after his citizenship was restored, he gave his address as 2515 NW 122nd Ave. in Miami, and Sturgis and his family continue to live there, in the slightly run-down white house with its unkept yard at the edge of the Westview Golf Course and Country Club.

A teenage girl who answered when a reporter knocked on the door last week, acknowledged that it was the home of Frank Sturgis "but we don't know anything about it . . . you'll have to talk to my mother."

At television Cannel 23, where she works, Mrs. Sturgis declined to discuss her husband's case.

THE LAST OF the Miamians is Eugenio Rolando Martinez, 51, who once was active in the anti-Batista underground in Cuba. Later he turned against Castro and fled to the United States. For a while, according to local exile sources, he ran a weapons shuttle, presumably under U.S. sponsorship, back to anti-Castro elements on the island by mid-1960.

One exile activist calls Martinez "one of the most valiant and courageous men in this fight, and as the other true heroes he is mostly not known."

Another calls Martinez "an idealist . . . he is not the kind of guy to do something for the money in it and the charge that he may be a mercenary is wrong."

Martinez' recent history remains somewhat obscure but it is known he obtained his real estate license in 1970 and has been working for Barker for the past year.

He has been living with a married daughter since he recently separated from his American-born wife of five years.

Hunt. McCord. Gonzalez. Barker. Sturgis-Fiorini. Martinez.

The Watergate Five plus one, but they add up to far more than six. Just how much more nobody yet knows.

(Mount Clipping In Space Below)

Bond Is Raised to $40,000 For Miamian in Demo Raid

By CLARK HOYT and ROBERTO FABRICIO
Herald Staff Writers

WASHINGTON — Superior Court Judge James A. Belson at a Monday hearing substantially raised the bond that Bernard L. Barker — Miami real estate agent and one of the "Watergate Five" — will have to post before he can leave jail.

Judge Belson said that Barker's attorney had failed to prove that $89,000 transferred to Barker's bank account from Mexico City was related to his real estate business in Miami.

Barker is one of five men — four of them from Miami — charged with second-degree burglary in the June 17 break-in into the Democratic National Committee offices at the Watergate Hotel complex in Washington.

THE JUDGE had been ready to release Barker Friday on a $4,000 cash deposit. But Monday Belson said Barker would have to post a $40,000 surety bond in cash to be released.

In another development in the case Monday, Edward Bennett Williams, attorney for the Democratic National Committee in the $1-million civil suit against the Watergate Five and the Committee To Reelect the President, said, "There is strong indication," that the Democratic offices had been bugged long before the June 17 break-in.

In a Federal District Court hearing, Williams asked U.S. District Judge Charles Richey, a Nixon appointee, for an injunction to block the use of any information learned through the alleged bugging. But Williams did not reveal the evidence on which he was basing his contention.

THE HEARING then broke down into bitter exchange of charges between Williams and the attorney for the Nixon committee, Kenneth W. Parkinson.

Parkinson said the Democratic suit, "has as its only purpose . . . to destroy the chances" for Nixon's reelection.

Judge Richey warned both attorneys that, "You all jolly well understand," that he would not permit the suit to degenerate into a "political trial."

Williams asked for a speed-up order to permit him to take testimony from the

Miami Herald
6/27/72

Watergate Five and others on an "accelerated basis," while Parkinson asked for a 45-day delay.

Richey took both requests under advisement.

After hearing evidence from Assistant U.S. Attorney Earl J. Silvert that $89,000 was transferred to Barker's account and then withdrawn in cash shortly before the alleged bugging attempt on the Democratic National Headquarters, Judge Belson raised the bond.

Judge Belson said he would make it harder for Barker to post bond, "since the ultimate source of such funds has not been shown to be untainted by irresponsible interests."

At a Friday hearing Barker's attorney, Joseph A. Rafferty Jr., said after a whispered consultation with his client that the $89,000 was placed in an escrow account to cover a real estate contract written by Barker but that the contract fell through and Barker refunded the money.

BUT RAFFERTY was unable to explain why his client withdrew the $89,000 in cash.

The government said that $10,000 of that amount was withdrawn in $100 bills and that part of that was the money found on Barker and his associates when they were arrested at the Watergate on June 17. The bills were traced by the FBI to the Republic National Bank of Miami, 10 LeJeune Rd., where Barker has his account.

IN THE Superior Court bond hearing, Judge Belson took under advisement a request that bond be increased for Miami real estate man Eugenio R. Martinez — one of the five held on the break-in — after the government claimed that Martinez had not told the truth at Friday's hearing.

Assistant U.S. attorney Silvert said Martinez lied when saying he had used his U.S. passport only as a reference and an identification and that he had never intended to use it.

Silvert said that on his (Martinez') application for a passport Martinez said last June 4, 1971, that he intended to make trips to the Dominican Republic and to another "undisclosed country."

The discrepancy between the passport records and Martinez's statement, "constitute additional persuasive evidence of his lack of truthworthiness and reliability," the prosecutor said.

THE PASSPORT issue became important when Judge Belson asked to require the surrender of passports as a condition to release the five men. Martinez protested, implying that whether he kept his passport or not was not important because he never intended to use it.

Martinez had also said he took out a passport immediately after becoming a U.S. citizen on July 8, 1970. But Silvert said records show he applied for the passport almost a year after that, on June 4, 1971.

Meanwhile, the remaining members of the Watergate Five — James W. McCord, security chief for the Committee to Reelect the President until last week when he was fired, and Miami residents Frank (Fiorini) Sturgis and Virgilio Gonzalez — remained in jail in Washington pending posting of their bonds.

(Mount Clipping in Space Below)

Bailey Sought To Defend GOP Aide

By Herald Wire Services

WASHINGTON — James W. McCord Jr., the former Republican security expert charged in the Democratic headquarters break-in case, dismissed his attorney Thursday and has talked to trial lawyer F. Lee Bailey about representation.

McCord's original attorney, James A. Rafferty Jr., said he would withdraw from the case as soon as McCord and the four other defendants retained other lawyers.

McCord is the only one of the five presently free on bond. He has until July 6 to obtain a new lawyer.

At a hearing Thursday, McCord asked District of Columbia Superior Court Judge James A. Delson to lighten the conditions of his release so he could go to Boston to discuss the case with Bailey. The judge, who had previously ordered McCord to remain in this area, granted his request.

Meanwhile, another defendant, Virgilio R. Gonzales, a locksmith and part-time painter, was denied his third bid to be released on bond. Judge Delson said he was "unsatisfied" with the source of the money used to post Gonzales' bond.

Judge Delson took under advisement a request by defendant Eugenio R. Martinez, a Miami real estate broker, to be released on bond.

Miami Herald
6/30/72

107

(Mount Clipping In Space Below)

FBI found check after 'break-in'

By VERNE O. WILLIAMS
Miami News Reporter

The suddenly famous $25,000 GOP campaign check that wound up involved in the bugging of Democratic Party headquarters was apparently secretly uncovered by the FBI in Miami within days of the original June 17 break-in incident in Washington.

FBI agents located the bank account of Bernard Barker, Miami realtor and ex-CIA operative, in a Miami bank only four days later following a clue found in a car parked at Miami International Airport.

The $25,000 cashier's check drawn by Kenneth Dahlberg, Nixon's Midwest campaign finance chairman, had landed in Barker's account at the Republic National Bank, 10 NW Le Jeune Rd., just two months earlier.

Barker was one of the five men now known as the "Watergate Five" who were arrested in the sixth floor offices of the Democratic headquarters at 2:30 a.m. with burglary tools and bugging equipment.

The $25,000 check that Dahlberg says he bought at a Boca Raton bank on April 10 and gave personally next day to Maurice Stans, Nixon finance chief, in Washington remained a well kept secret until this week.

But a hitherto undisclosed search warrant on file at federal court here discloses that on June 21 the FBI requested a search warrant for a 1972 green Dodge Dart owned by Eugenio Rolando Martinez.

Martinez, 51, an anti-Castro Cuban exile, worked for Barker in his Miami real estate office and lived at 4044 Meridian Ave., Miami Beach.

FBI agents Wayne F. Stiles and Douglas R. Knight located the green Dodge Dart parked in garage No. 1 at Miami International Airport. They searched it and found a number of interesting items including a "deposit slip for the Republic National Bank, Miami, Florida, dated April 21, 1972," according to court records.

This is within a day fo the April 20 date given for Barker's deposit of the $25,000 Dahlberg check in the same account.

An inventory of items found in the green Dodge Dart runs to 37 items. It ranges from a "Page-A-Day" calendar notebook to an

Miami News
8/3/72

1-8

"Aqualung knife and scabbard."

There was an intriguing mention of a "notebook containing various names and telephone numbers" but unfortunately the description ended there. Another line cited "three semi-transparent map overlays with coordinates and locations."

There was an international flavor with CIA atmosphere to some of the items such as the Cuban liberation pamphlet with an M-16 rifle on the cover. There were keys, a March, 1972 "receipt" from the Bragada de Asalto 2506, rolls of film, recording cassettes, a Cuban passport, and a "seven-inch stainless steel knife and scabbard manufactured by Gerber, Portland, Oregon."

The court form issuing the search warrant on June 21 says the FBI believed "there is now being concealed certain papers, documents, memoranda, letters and a gun" in the car parked at the airport. No gun turned up.

An affidavit given by FBI special agent Robert L. Wilson to federal court on June 21 in order to get the warrant sets forth in crisp language the trail of the investigation from the Watergate building in Washington to Miami International Airport.

It relates the arrest of five men "in the act of burglarizing" the offices of the Democratic National Committee at 2600 Virginia Avenue NW on June 17. They were "in possession of numerous lock-picking devices" and other items, Wilson went on.

It related that "these associates are considering ways of removing the car from the airport." For all these reasons, the affidavit concluded, the FBI requested immediate issuance of the search warrant for the car. It was issued by U.S. Magistrate Michael Osman the same day.

At the Republic National Bank, a spokesman yesterday confirmed that the FBI had visited the bank and scrutinized microfilm records of transactions passing through Barker's account.

The $25,000 Dahlberg cashier's check was handled in an odd way, he confirmed. No one other than Dahlberg had endorsed it on the back. In other words, Barker had somehow deposited it in his "Barker Associates Trust Account" without signing or endorsing it himself.

U.S. Indicts Seven In Break-In Caper At Democrats' HQ

Wiretaps, Burglary Charged

By Herald Wire Services

WASHINGTON — Two former White House aides and five other men were indicted by a federal grand jury Friday on charges of breaking into the Democratic national headquarters to steal documents and install bugging devices to intercept telephone and oral communications.

The eight-count indictment was returned in U.S. District Court here against the seven men in connection with the June 17 break-in at the Watergate Apartment complex.

Named in the indictment were:

● E. Howard Hunt, 54, a former $100-a-day White House consultant to Charles W. Colson, special counsel to President Nixon.

● G. Gordon Liddy, 42, an ex-FBI agent and Treasury Department official and a White House consultant who was fired as counsel to the finance committee for the Committee to Reelect the President when he refused to answer questions about the break-in. The indictment described Liddy as a friend and associate of Hunt.

● James W. McCord, 53, president of McCord Associates and security coordinator for the Committee to Reelect the President until his arrest in the Watergate.

● Bernard Barker, 55, a Cuban-born American and former CIA agent who is now a real estate broker in Miami. He was arrested in the Watergate.

● Frank Sturgis, 37, an associate of Barker and an ex-Marine who reportedly once smuggled guns for Cuban rebels, then switched sides to oppose Fidel Castro. He was arrested in the Watergate.

● Eugenio R. Martinez, 49, a former CIA operative and an employe of Barker's firm who was arrested inside Democratic headquarters.

● Virgilio R. Gonzalez, a Cuban-born locksmith and Miami associate of Barker who was the fifth man arrested in the Watergate.

The defendants were ordered to surrender at 10 a.m. Tuesday at U.S. District Court for setting of bond.

All seven defendants were charged in one count with conspiring from May 1 to June 17 to use illegal means to obtain information from Democratic headquarters.

When the five men were arrested inside the offices of the Democratic National Committee, Liddy and Hunt fled across the street to a Howard Johnson's motel. The motel was called the monitoring headquarters for the political espionage operation.

The indictments charged the men placed wiretaps and other electronic surveillance devices in the Democrats' headquarters and conversations were transmitted to a room in the motel.

THEY WERE also charged with stealing certain documents and papers and photographing others.

All seven were charged in a second count with entering the Democratic offices with the intent to steal property and in a third count with intent to illegally intercept telephone and oral conversations.

Miami Herald 9/16/72

Two other counts charged all the men with trying to intercept telephone and oral communications coming from inside Democratic headquarters.

Liddy, Hunt and McCord were charged in one count with actually intercepting telephone conversations, primarily from the offices of R. Spencer Oliver and Ida M. Wells, his secretary. Oliver is executive director of the Democratic State Chairmans Associations.

THE INTERCEPTIONS occurred during a three-week period from May 25 to June 16, the indictment said.

All of the defendants except Liddy and Hunt were charged in two counts with illegally possessing listening devices, one of which was said to have transmitted all conversations but was made up to resemble fire detection equipment and labeled "Ari Smoke Detector." The other was a telephone wiretap.



Richard Kleindienst
... probe 'extensive'



L. Patrick Gray
... 'running leads'

In releasing the indictment, Attorney General Rich-

three-month investigation was "one of the most intensive, objective and thorough investigations in many years, reaching out to cities all across the United States as well as into foreign countries."

HOWEVER, acting FBI Director L. Patrick Gray III said Thursday that his agents were still "running leads" in the case.

It could not be immediately determined if the return of the indictments meant the federal investigation into the Watergate incident is complete.

The Democrats, who have used the Watergate incident as a campaign issue, have said the investigation must be pursued. The Republicans, on the other hand, called on the Democrats to apologize for charging other White House and Nixon campaign officials with involvement.

Lawrence F. O'Brien, campaign manager for Sen. George S. McGovern, charged in June that "there is developing a clear line to the White House" in the case.

John W. Hushen, chief spokesman for the Justice Department, said that there "was absolutely no evidence" that the men were acting under instructions from the White House.

He said further that there was no evidence "to indicate that any other person should be charged."

REACTING TO the indictment Friday, O'Brien said in a prepared statement that "we can only assume that the investigation will continue since the indictment handed down today reflects only the most narrow construction of the crime that was committed."

"In particular," O'Brien continued, "we will continue to press for a far more thorough examination of the funding of the crime."

O'Brien was referring to $114,000 of Nixon campaign checks that were deposited in Barker's Miami bank account.

The exact reason for the transfer of the checks from the Nixon campaign treasury has not been fully explained, though both the General Accounting Office and the House Banking and Currency Committee have made lengthy reports on the matter.

Liddy was the last Nixon campaign official to have the checks in his possession, according to the Aug. 26 report by GAO, the investigative arm of Congress.

FRIDAY'S indictment made no reference to campaign funds.

Clark MacGregor, the President's campaign manager, reacted to the indictments Friday by calling for public apologies from "those who have recklessly sought to connect others with the case."

In an obvious reference to the Democrats, MacGregor added: "We now appeal to all those who have sought political benefit from this case to discontinue saying or doing anything that will interfere with a full and fair trial."

When the indictments were formally returned Friday in district court, principal Assistant U.S. Attorney Earl J. Silbert asked Chief



Lawrence O'Brien
... to press more

Judge John J. Sirica to specially choose a judge for the case, rather than allowing the usual random selection of a judge.

SILBERT, who directed the grand jury investigation, noted that the trial is expected to be "protracted, difficult and widely publicized" — the criteria for which the U.S. Judicial Conference has recommended the appointment of the "best available

judge" to handle exceptional cases.

Meanwhile, U.S. Attorney Harold A. Titus Jr. said he did not know when the government would be ready to begin prosecution of the seven defendants.

Four of the eight counts — those charging burglary and possession of intercepting devices — were brought under the District of Columbia criminal code.

The penalty for burglary is two to 15 years in prison on each count. For possession of intercepting devices, the maximum penalty per count is five years in prison and a $10,000 fine.

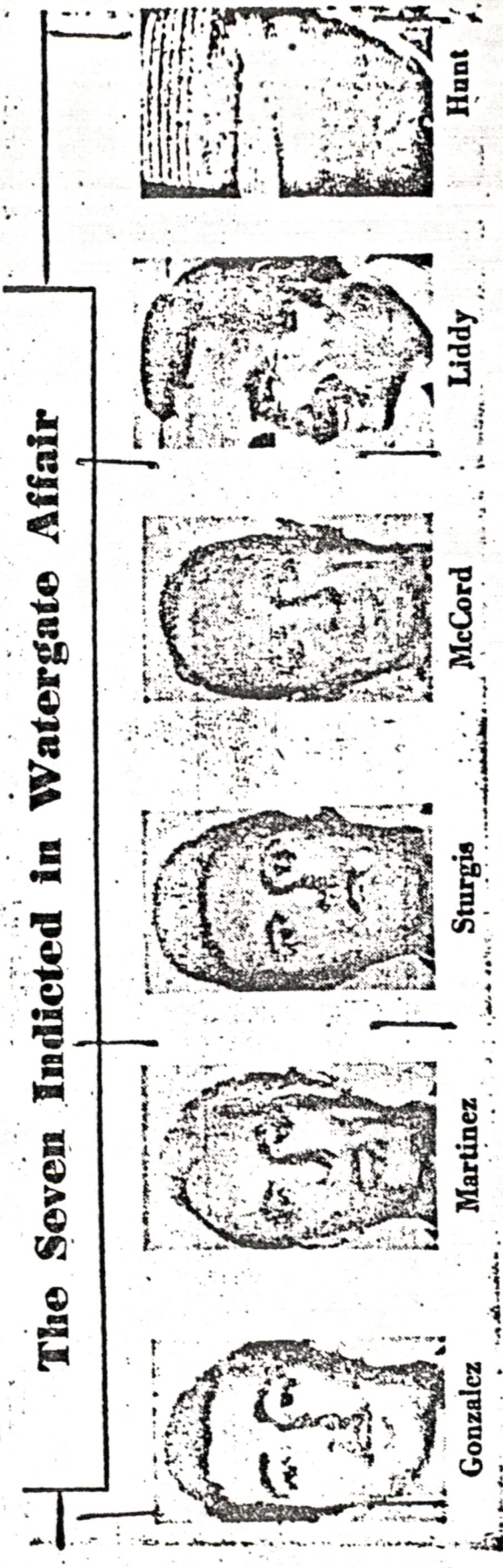
The other four counts allege violations of the federal criminal code.

MAXIMUM PENALTY for interception and disclosure of wire or oral communications is five years in prison and a $10,000 fine. The maximum penalty for conspiracy is the same.

The indictment listed 20 overt acts said to have been performed by the defendants to further the conspiracy. The listing included:

- McCord's purchase — for $3,500 — of an electronic device capable of receiving intercepted conversations.
- The purchase by Martinez and Sturgis of surgical gloves.
- The purchase by Martinez of film and other photographic equipment.
- The transfer of $1,600 in cash from Liddy to McCord.
- The theft by McCord of documents and papers belonging to the committee.
- The reconnoitering of Sen. George McGovern's headquarters in Washington by Liddy, Hunt and McCord. McGovern is the Democratic presidential candidate.

The grand jury said the men scouted McGovern's headquarters about May 27, several week before the Watergate break-in.





(Mount Clipping in Space Below)

Who's Who of 4 Miamians Among the Seven Indicted

BERNARD L. BARKER, 55, 5229 NW Fourth St., an ex-CIA agent involved in the Bay of Pigs invasion.

Born of American parents in Cuba, Barker fought with the U.S. Air Force in World War II as a bombardier in a B17. He was shot down and spent 16 months in a Nazi prison camp.

Before Watergate, his real estate office, Barker Associates Inc., employed 10 salesmen, he says. Now he has five.

EUGENIO L. MARTINEZ, about 50, of 4044 Meridian Ave., Miami Beach. Martinez parked his car at Miami International Airport the day he flew to Washington allegedly to take part in the Watergate raid. From it, FBI agents found much evidence which aided their investigation into the Watergate affair.

Martinez, slight of build, graying, works for Barker's real estate firm.

Reportedly, he is more idealistic than materialistic. He supposedly ran weapons into Cuba for anti-Castro forces. He became a U.S. citizen July 8, 1970.

VIRGILIO R. GONZALEZ, 45, of 930 NW 23rd Ave., is a Cuban who migrated to Miami in 1952, long before Castro took power.

He is a locksmith, an employe of the Missing Link Locksmiths, 221 NW Eighth St.

FRANK STURGIS, about 48, alias Ficrini, of 2515 NW 122nd St., North Miami, is an ex-Marine, ex-choir boy, ex-barroom bouncer, now employed as a salesman for the Pan American Aluminum Corp.

Newspaper columnist Jack Anderson established Sturgis' public reputation as an adventurer and 'soldier of fortune" in Parade Magazine in the early 1960s reporting on his anti-Castro exploits.

Sturgis describes himself as a "born anti-Communist fighter."

Miami Herald
9/16/72

FD-350 (Rev. 7-16-63)

(Mount Clipping in Space Below)

7 Plead Not Guilty Of Break-In

Judge Sets Bond In Watergate Case

By Herald Wire Services

WASHINGTON — Two former White House aides and five other men pleaded innocent Tuesday to charges of breaking into and bugging the Democratic National Headquarters.

U.S. District Judge John J. Sirica set bond at $10,000 each for G. Gordon Liddy, who was fired as financial counsel for President Nixon's reelection committee after he refused to answer FBI questions about the bugging, and Howard E. Hunt, a former CIA operative who worked part-time as a White House consultant. Sirica stipulated that Liddy and Hunt need post only 10 per cent of the bond in cash, but he limited their travel.

Also pleading innocent were Bernard L. Barker, a Miami real estate man; James W. McCord Jr., former security chief for the Nixon reelection committee; Eugenio R. Martinez, an employe of Barker; Frank A. Sturgis, an associate of Barker, and Virgilio R. Gonzalez, a Miami locksmith.

THEY WERE arrested during the break-in June 17 and were released on bail already posted on charges stemming directly from the break-in. Sirica, however, eased travel restrictions to permit the men to conduct their business pending trial.

Bail for the five ranged from $50,000 for Sturgis, to a low of $30,000 for McCord. The remaining three defendants are free on $40,000 bail

restricted at the government's request to the metropolitan area of the District of Columbia, although each may travel on business and family activities if he seeks permission in advance. Both must report by telephone once a week to the D. C. Bail Agency. Both were ordered to surrender their passports in two days.

Government prosecutor Earl Silbert opposed the request of the two men that they be released on their own recognizance, calling charges against them "a very serious, heinous offense."

SIRICA gave each side 15 days to file motions and 10 more days to file responses. He denied defense lawyers' requests for more time, indicating that the case probably would be tried promptly.

Sirica, in a brief order, announced that he would strictly enforce U.S. District Court rules involving a widely publicized or sensational case.

They state that the court may issue special orders governing extrajudicial statements by anyone involved in the case and the seating in the courtroom of reporters, plus anything else the court deems appropriate.

Liddy, Hunt and the five others pleaded innocent when charges were formally read against them.

THE SEVEN were indicted Friday by a federal grand jury on charges of stealing documents, planting telephone taps and secreting

Democratic National headquarters in the Watergate Hotel.

The indictment said that conversations overheard were transmitted across the street to a room in the Howard Johnson Hotel, where they were overheard by the defendants.

Silbert did not ask for a change in bond set previously for the five other men.

Hunt was represented by William O. Bittman, who in the 1950s was the chief government prosecutor against former Teamsters' President James R. Hoffa. Bittman is in private practice.

The government has asked that Hunt and Liddy each be held on $10,000 bond and be required to make personal appearances before bond officers twice a week and t telephone them daily.

Miami Herald 9/20/72

114

(Mount Clipping in Space Below)

Barker, 3 Others Sue to Block Prosecution

By CAROLYN JAY WRIGHT
Herald Staff Writer

Four of the five men arrested inside the Democratic National Headquarters in the Watergate complex June 17 filed suit in Miami Federal Court Thursday seeking to prohibit federal and state criminal prosecutions against them.

Bernard L. Barker, who is scheduled to go on trial in Dade's Criminal Court Monday on charges of fraudulently notarizing a $25,000 Nixon campaign check, said it is impossible for him to receive a fair trial in either case.

The case was assigned to U.S. District Court Judge Peter Fay, a Republican and recent Nixon appointee. Fay has scheduled a hearing for 9 a.m. today.

In their complaint, which also asks for $2 million in damages, Barker, Virgilio Gonzalez, Eugenio Martinez and Frank Sturgis claim that they are the victims of a conspiracy to obstruct justice and deny them equal protection of the law.

Barker charges that State Attorney Richard E. Gerstein, a Democrat, initiated an investigation against him during his campaign for reelection and "manipulated the communications media" to make it the "major issue of his renomination and reelection campaigns."

Barker charges that Gerstein and chief investigator Martin Dardis released or caused to be released to the mass communications media, reports, photostats and details" accusing him of being guilty of the federal charges.

In addition to Gerstein, Harold H. Titus Jr., U.S. attorney for the District of Columbia, and Earl J. Silbert, his assistant are defendants in the suit.

Titus and Silbert attempted to interfere with the group's right to have counsel of their own choosing, the suit says.

Miami Herald
10/27/72

115

FD-350 (Rev. 7-16-63)

(Mount Clipping In Space Below)

Deposition Refusal Ends Barker Suit

NOV 21 1972

By CAROLYN JAY WRIGHT
Herald Staff Writer

A $1-million federal damage suit filed against State Attorney Richard Gerstein by four men arrested inside the Democratic national headquarters in the Watergate complex of Washington, D.C., last June, was withdrawn Monday.

Attorney Henry Rothblatt, representing Bernard Barker, Frank Sturgis Fiorini, Virgilio Gonzalez and Eugenio Martinez suggested that the suit be dismissed after Barker was subpenaed by Assistant County Attorney Jon Gordon to come in and make a deposition (sworn statement) in the case.

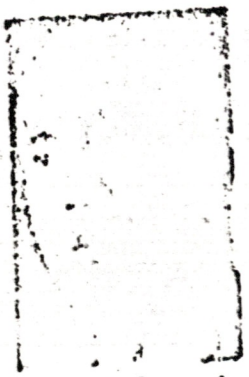
Gordon, who is representing Gerstein and his chief investigator, Martin Dardis, agreed to the dismissal along with Assistant U.S. Attorney Mervyn Ames, who represents two federal prosecutors also named in the suit.

THE LEGAL manuever was agreed to after Barker and three lawyers showed up in the county attorney's office in response to a summons issued by Gordon. That summons demanded that Barker appear for questioning by Gerstein's lawyers.

Though the taking of depositions or testimony prior to trial of the suit is standard procedure, legal sources said Monday that the results could have been damaging to Barker and his three associates.

Any information obtained during the depositions could be used against them at a criminal trial scheduled to begin in Washington Jan. 8.

"THIS SUIT had about as long a life as I predicted it would have," Gerstein said after the dismissal. "I knew its life would end as soon as Barker was noticed for deposition.



Richard Gerstein
... charges diversion

"This makes the umpteenth time I've been sued. And it's a typical example of a defense attorney attempting to sublimate or divert public attention from the real issues."

Rothblatt, however, denied that the deposition had any relation to the dismissal.

He said instead that the dismissal was designed to "take the pressure off" so that he could devote more time to preparing a defense for the January trial.

Rothblatt said that with a "major war" getting under way in Washington Jan. 8, he did not want to get bogged down in the involved and endless details of trying a civil damage suit which, he said, was originally filed to protect Barker's rights in a trial before Criminal Court Judge Paul Baker.

Barker was tried, convicted and placed on six months probation by Judge Baker for improper use of his notary seal on a $25,000 Nixon campaign check.

Miami Herald
11/21/72

116

(Mount Clipping In Space Below)

Watergate Trial On, Defendants Doze

By CLARK HOYT
Herald Washington Bureau

WASHINGTON — The politically-charged Watergate bugging trial opened Monday, and by the end of the first tedious day of trying to select a jury, three of the seven defendents had dozed off for brief courtroom naps.

Chief U.S. District Judge John J. Sirca swore in 244 prospective jurors six months and 21 days after a band of men wearing rubber surgical gloves was arrested inside Democratic National Headquarters in the Watergate office building.

By the time the court adjourned for the day, 150 of the jury panel had been excused and not a single one seated for the trial, which the judge predicted would last from four to six weeks.

Although Democrats had hoped the Watergate incident would convince Americans during the presidential election that corruption reached into the highest levels of the Nixon Administration the list of government witnesses announced Monday contained no sensational names.

SEVEN of the 60 witnesses Prosecutor Earl J. Silbert said he planned to call were either present or former aides at the White House or on the President's reelection committee.

Silbert's list did not include many of the most prominent names frequently linked in news accounts to varying aspects of the Watergate affair. But the prosecution can add witnesses later, and there were reports it intends to do so.

Attorneys for the seven defendants revealed none of their prospective witnesses.

Among the names not on Silbert's list were former Attorney General John Mitchell, who resigned as the President's campaign manager two weeks after the Watergate arrests; former Commerce Secretary Maurice Stans, linked to a secret cash fund alleged to have helped pay for the Watergate operation; and White House aide Charles Colson, who was responsible for the hiring of one of the defendants as a $100-a-day presidential consultant.

THE WATERGATE Seven are charged in an eight-count indictment with conspiring to steal documents and eavesdrop on the Democratic headquarters between last May 1 and June 17, the day five of them were arrested in the offices during the early morning hours.

Various counts of the indictment include burglary, possession of electronic listening devices, conspiracy, and interception and disclosure of telephone and oral communications.

The maximum sentence on the burglary count alone is 15 years in prison.

The seven defendants, who include two former White House aides and the former security chief of Nixon's reelection committee, are:

- F. Howard Hunt Jr., a thin, pale ex-CIA agent and former White House consultant who earned a modest reputation as an author by churning out spy and adventure novels under his own and several pen names;
- G. Gordon Liddy, a debonair, moustached former White House assistant who served as a high aide in the Nixon campaign organization until he was fired for refusing to cooperate with the FBI in the Watergate investigation;
- James W. McCord, a bald former CIA official who was security chief of the Nixon campaign committee and a security consultant to the Republican National Committee when he and the next four defendants were arrested in the Democratic offices;
- Bernard L. Barker, bespectacled Miami realtor, a Cuban-born American who is said to have worked under Hunt during the abortive Bay

Miami Herald
1/9/73

of Pigs invasion in 1961;

● Frank Sturgis, described by prosecutor Silbert as a "soldier of fortune," and said to have fought both for and then against Fidel Castro in Cuba;

● Eugenio Martinez, an anti-Castro activist who was working as a real estate salesman for Barker;

● Virgilio Gonzalez, another anti-Castro Cuban and a Miami locksmith.

The jury selection process began Monday with Silbert reading off the names of his 60 prospective witnesses.

Nine of the 60 were led into the packed, paneled courtroom to stand before the prospective jurors. They included the man expected to be the government's star witness, Alfred C. Baldwin III, who has said that, working under McCord's supervision, he monitored telephone taps planted in the Democratic headquarters.

Another prosecution witness in the courtroom was M. Douglas Caddy, a Washington attorney who appeared mysteriously at police headquarters within minutes after the Watergate arrests. Caddy was jailed briefly for contempt of court when he declined to answer grand jury questions about the case.

SILBERT'S list of witnesses included Kathleen Chenow, a former White House secretary; Fred Fielding, a White House attorney who works for presidential counsel John Dean; Bruce Kehrli, a secretary to White House Chief of Staff H. R. Haldeman; Jeb Stuart Magruder, deputy director of the Nixon reelection committee; Robert Odle, the committee's personnel director; Herbert L. Porter, another Nixon committee official; and Hugh W. Sloan, the committee's former treasurer.

(Mount Clipping In Space Below)

Ex-Nixon Aide Pleads Guilty in Watergate

Miami Herald 1/11/73

6 Others To Fight Charges

By CLARK HOYT
Herald Washington Bureau

WASHINGTON — Former White House consultant E. Howard Hunt pleaded guilty Wednesday to burglary and bugging of the Democratic Party's national headquarters in Washington.

Hunt's guilty plea in the Watergate trial came after the prosecutor said that he intended to prove that another defendant was ordered in late 1971 by Nixon campaign officials to establish a $250,000 "intelligence operation."

Chief Assistant U.S. Attorney Earl J. Silbert strongly implied that a campaign of spying against Democrats was an unauthorized spin-off from the intelligence operation headed by defendant G. Gordon Liddy and involving all the defendants.

HUNT, one of seven defendants in the Watergate case, pleaded guilty to three of the six counts against him as Silbert and defense attorneys concluded opening statements in the trial.

William O. Bittman, Hunt's lawyer, said that his client told the government a week ago that he wanted to change his plea to guilty. But Bittman said the government insisted on waiting until after the opening statements had been made.

Silbert said the government had wanted to detail its case against Hunt and the other defendants "so all would know the facts uncovered by the investigation in this case."

CHIEF U.S. District Judge John J. Sirica said he will rule this morning on whether to accept Hunt's guilty plea. The judge indicated he was inclined to order Hunt imprisoned immediately if he accepts the plea.

Hunt's wife was killed Dec. 8 in a Chicago airplane crash. He faces up to 25 years in prison, something the former CIA agent "understands and accepts," his attorney said.

Hunt, who has done consultant work for the White House, was working for a Washington public relations firm on June 17 when five of the other defendants were caught by police inside the

Turn to Page 25A Col. 1

120

Ex-Nixon Aide Pleads Guilty To Three Charges in Bugging

From Page 1

Democrats' headquarters in Watergate Office Building.

Attorneys for the five men caught inside delivered opening statements to the jury Wednesday, indicating they would continue to fight the prosecution's charges.

Gerald Alch, representing James W. McCord Jr., security chief for President Nixon's reelection committee, said that he would "not attempt to refute the irrefutable," because "no lawyer is a magician."

ALCH SAID McCord was inside the Watergate, but "we will show that Mr. McCord had no criminal intent. He had no evil meaning in mind. He had no evil-doing hand."

Henry Rothblatt, representing four Miami defendants — Bernard L. Barker, Frank Sturgis, Eugenio Martinez and Virgilio Gonzales — said that the evidence will show "that they were following their instructions in the typical military fashion that they had been trained to follow, with no evil intent or motive."

Silbert said the Hunt's desire to change his plea had not been carried out immediately because the government lawyers wanted to first make their opening statement to the jury.

Silbert said that was one of three conditions under which the United States accepted Hunt's plea. The others, he said, were that there would be no advance agreement about what sentence the prosecution would recommend for Hunt, and Hunt would appear before the grand jury which indicted him "for questioning about the possible involvement of others." That grand jury is still officially in session.

HUNT PLEADED guilty to conspiracy to bug the headquarters, burglary and intercepting telephone conversations. The other three indictments in which he was named had to do with other instances of intercepting telephone conversations at the Watergate. They were dismissed.

Earlier in the day, in his opening statement, Silbert laid out the government's case. He covered the well-publicized bugging episode at the Watergate but also threw in a new element.

Silbert said that Hunt last spring hired a Brigham Young University student, Thomas Gregory, as a $175-a-week spy to infiltrate the campaigns of Democratic presidential contenders Edmund Muskie and George McGovern.

Gregory is scheduled to be one of 60 prosecution witnesses in the trial. His role was revealed by Silbert in a two-hour speech to a jury that appeared to listen intently.

Silbert appeared to imply that the entire bugging operation was an unauthorized spinoff from a $250.000 "intelligence operation" set up by top officials of Nixon's campaign committee.

According to Silbert, defendant G. Gordon Liddy, then general counsel to the Committee for the Reelection of the President (CRP), was assigned late in December 1971 to:

- Try to "find out in advance" about planned demonstrations aimed at GOP officials campaigning on Nixon's behalf.
- Find out about possible disruptions planned for the Republican National Convention, which, at that time, was scheduled to be held in San Diego.

The prosecutor said Liddy was authorized to spend up to $250,000 and that he actually received a total of $235,000, virtually all of it in $100 bills, from Hugh Sloan, treasurer of the Finance Committee to Reelect the President.

WHEN FIVE of the defendants were arrested in the Watergate offices in the early morning hours of June 17, all but one were carrying large amounts of cash in $100 bills.

Silbert said that Liddy was assigned to set up the intelligence operation by Jeb Magruder, deputy director of CRP. The prosecutor said that Liddy and Magruder did not get along with each other and that Liddy later moved over to the finance committee to get away from Magruder while continuing his work.

According to the prosecutor, Gregory arrived in Washington for his spying assignment in late February after first arranging with his university to get credit for off-campus study in a political campaign.

Gregory's first assignment was to report to Hunt about Muskie's campaign schedule, the content of his speeches and any dissension in the Maine senator's headquarters, Silbert said.

ONCE A WEEK, Hunt and Gregory met at a drug store in downtown Washington where the college student handed over an envelope containing his report and received an envelope containing $175 in cash.

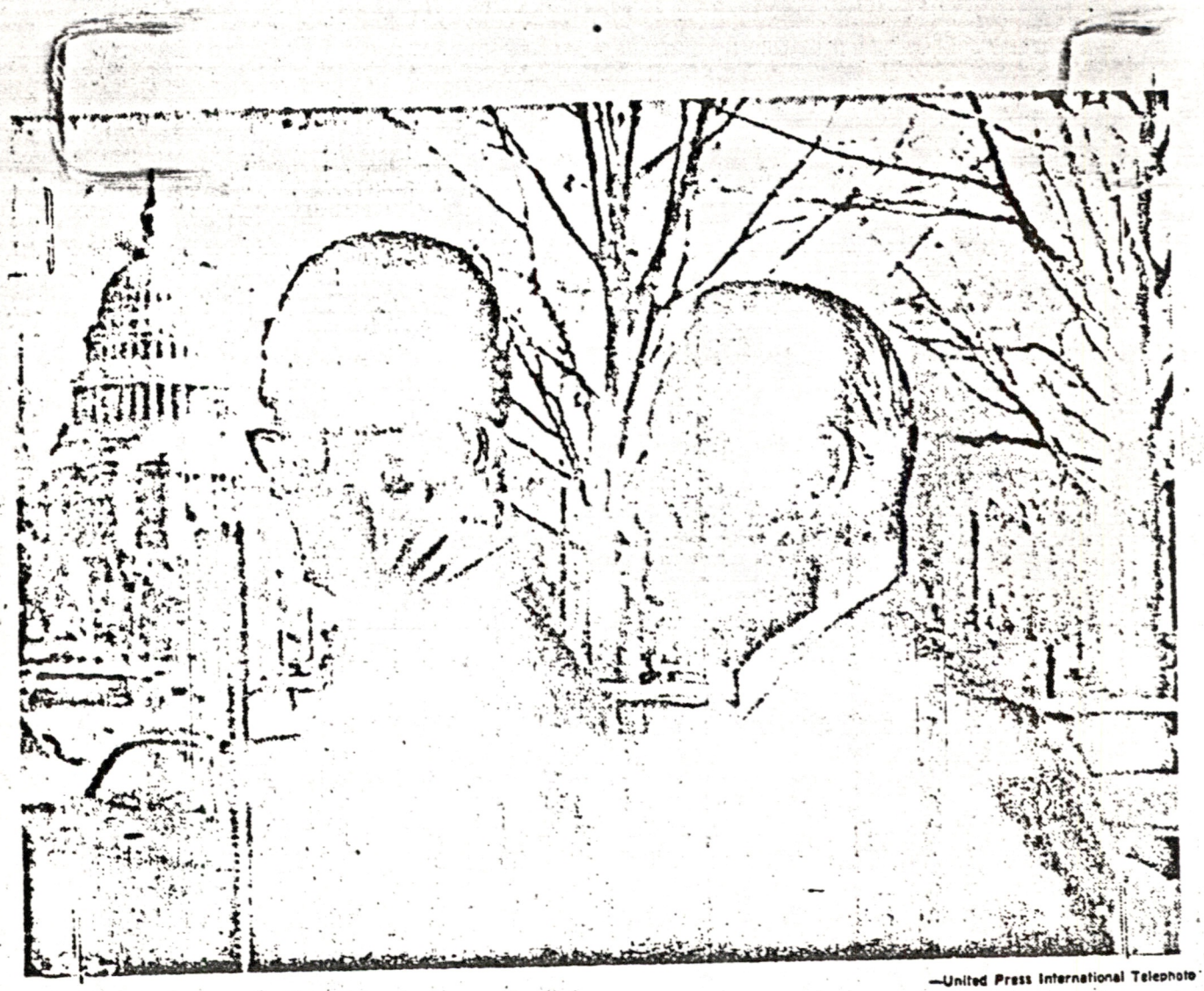
"Some of that was in those $100 bills I was talking about," Silbert said, adding that Hunt ordered Gregory to quit Muskie's campaign in April when it began to falter and to move to McGovern's headquarters on Capitol Hill.

While Gregory was working as a volunteer in the McGovern offices, he once took McCord to the McGovern headquarters and introduced him as "a friend."

While Gregory diverted the attention of other workers in the office, Silbert said, McCord slipped down the hallway and tried to plant a bug in the office of Frank Mankiewicz, political director of the campaign. Silbert added that the attempt was unsuccessful because McCord needed three minutes to plant the bug in the ceiling and didn't get them.

Silbert said the jury would want to know the motives for the Watergate bugging operation. He said there was "obviously the political motive" but he added that different defendants may have had different motives.

He suggested that money was the primary motive for Barker, Sturgis, Martinez and Gonzalez.



—United Press International Telephoto

G. Gordon Liddy, Right, and Attorney Peter Maroulis in Trial Break

...prosecutor says Liddy headed intelligence operation

TD-150 (Rev. 9-16-63)

(Mount Clipping In Space Below)

JAN 13 1973

Miamians May Enter Guilty Plea

Watergate Trial Held Behind Doors

By CLARK HOYT
Herald Washington Bureau

WASHINGTON — The Watergate bugging trial went behind closed doors Friday amid indications that four of the six remaining defendants want to plead guilty.

Defense attorney Henry Rothblatt conceded that "there are a lot of rumors going around" that his clients want to join former White House aide E. Howard Hunt in pleading guilty to bugging Democratic National Headquarters here last summer.

Rothblatt represents four Miamians — Bernard L. Barker, Eugenio Martinez, Frank Sturgis and Virgilio Gonzalez — who were arrested last June 17 inside the Democrats' offices at the Watergate complex.

There were strong signs Friday of a disagreement between Rothblatt and his clients.

"There will be no change of plea as long as I am on the case," the attorney said. But he hinted that he might not be on the case much longer.

ASKED BY reporters if there might be a new attorney coming into the trial when it resumes Monday Rothblatt replied, "The judge's wrath might be aroused if I answered that."

Sources indicated that Rothblatt was unhappy because he suspected his clients were being urged "behind his back" to enter guilty pleas.

Newsday, a Long Island newspaper, reported Friday that the Miami four had each been promised $1,000 for every month spent in prison if they would cut short their trial by pleading guilty.

The newspaper said the offer was made by a group identified only as "friends from Miami," including a figure prominent in the Bay of Pigs invasion.

Barker, a realtor and the apparent leader of the four Miamians, was a key operative for the CIA in the ill-fated 1961 invasion of Cuba.

ROTHBLATT declined to comment in detail on the Newsday story. But he said, "I doubt it, I doubt it."

Ex-CIA agent Hunt, reportedly Barker's immediate superior during the Bay of Pigs endeavor, pleaded guilty Wednesday to all six of the felony charges brought against him for participating in the Watergate affair.

Hunt, who said he didn't think he could stand the ordeal of a trial so soon after his wife's death in a Chicago plane crash, was released on $100,000 bond pending sentencing.

Should the four Miamians decide to obtain another attorney and change their pleas to guilty, only two Watergate defendants would be left — G. Gordon Liddy, former general counsel to the Finance Committee for the Reelection of the President, and James W. McCord Jr., former security coordinator for the Committee for the Reelection of the President.

THERE HAS been no indication that Liddy or McCord might also try to enter guilty pleas.

During the fifth day of the Watergate trial, there was no testimony. But only long conferences at the bench between Chief U.S. District Judge John J. Sirica and the attorneys for the government and the defendants.

At one point, the judge moved the session to a smaller courtroom from which the press and the public were excluded. The jury was not present at all Friday.

While reporters lined the hall, U.S. Marshals stood guard at the courtroom doors. Someone taped brown paper over the small windows in the doors.

Before the secret session began, Judge Sirica warned all parties that they faced "some pretty strict penalties" if they talked to the press.

After the two-hour session, Rothblatt refused any direct comment on what had happened. But he left the unmistakable impression that his clients wanted to plead guilty and that he was opposed to the move.

"I will only be an attorney in this case as long as there is a trial," Rothblatt said.

Asked if his clients wanted to change their pleas, Rothblatt said, "If I comment on that, Judge Sirica will give me the business."

Indications of dissension at the defense table began when Rothblatt arrived at the courthouse Friday morning without his clients for the first time. They had come earlier.

Miami Herald
1/13/73

(Mount Clipping In Space Below)

4 Plead Guilty In Watergate Bugging Case

By CLARK HOYT
Herald Washington Bureau

WASHINGTON — Four of the six remaining Watergate bugging defendants pleaded guilty Monday to all charges against them and indicated that they thought they were fighting Castro communism when they broke into the Democratic National Headquarters here last summer.

The four Miami men stood with heads held high before U.S. District Judge John J. Sirica and dodged his attempts to probe for the full details of the Watergate spying operation and its funding.

Like former White House aide E. Howard Hunt, who pleaded guilty to similar charges on Friday, the Miamians denied that they knew of any involvement by Nixon Administration or Republican Party officials in the affair.

They also denied widespread reports over the weekend that they are still being paid by a Miami anti-castro group or anyone else. And they denied that their families had been guaranteed an income while they were in prison.

BUT THEIR defense attorney, Henry Rothblatt, who had refused to enter the guilty pleas, hinted broadly that he suspected his clients had been bought off.

Asked outside the courtroom if he thought the four hadd been promised money in exchange for guilty pleas, Rothblatt replied:

"That I cannot tell you. It is something I will have to treasure as my own professional judgment or impression, and I am sure my clients would not want me to disclose my impressions. I can only speculate."

Rothblatt characterized as "reasonable speculation" reports that Hunt had been urging the Miami four to join him in pleading guilty.

AFTER questioning Bernard L. Barker, Frank Sturgis, Eugenio R. Martinez and Virgilio R. Gonzales for more than an hour, a frequently exasperated and incredulous Judge Sirica ordered them jailed immediately under $100,000 bond each.

The four will be lodged in the grim District of Columbia City Jail until they are sentenced. They face maximum penalties of 55 years in prison and $50,000 fines for the seven counts to which they pleaded guilty, including conspiracy, burglary, bugging and wiretapping.

As U.S. marshals led Barker, Sturgis, Martinez and Gonzales from the courtroom, only two defendants and two attorneys were left seated at the once-crowded defense table.

THERE HAS been no indication that the other two defendants, G. Gordon Liddy and James W. McCord Jr., also plan to enter pleas of guilty.

McCord, former security coordinator for the Committee for the Reelection of the President, was arrested on June 17 along with the four Miamians inside the Democratic offices at the Watergate complex.

The prosecution has characterized Liddy, former general counsel to the finance committee for the CRP, as the boss of the Watergate operation.

McCord's attorney, Gerald Alch, moved for a mistrial and a "cooling off" period of about three months before any new trial.

Miami Herald
1/16/73

134

He argued that the jury, which has heard only about one day of testimony during the first week of the trial, could infer from the disappearance of four more defendants only that there had been guilty pleas.

Judge Sirica denied the motion and ordered the trial to continue for McCord and Liddy. When the jury filed in, he simply instructed them that the cases of Barker, Sturgis, Martinez and Gonzales were no longer before them.

The guilty pleas were entered for the Miami four by a new lawyer appointed by the court, Alvin Newmyer of Washington. Earlier, the four fired their first attorney, Rothblatt, who said he would not give his "consent or concurrence" to pleading guilty.

SIRICA explained from the bench that Friday's 2½ hour secret session involved the efforts of the four to fire Rothblatt.

He said that he had seen a letter they had written to Rothblatt pointing out that since Jan. 7 they had been asking him to plead them guilty and he had refused. They wanted a new attorney, they said.

Sirica provided the new lawyer, since federal procedure requires that guilty pleas only be entered by defendants represented by an attorney.

Sirica's questioning of the four defendants elicited brief glimpses into the strange world of espionage in which all four defendants have moved since Fidel Castro's takeover of Cuba in 1959.

The four attempted to stick only with the facts charged in the indictments when answering the judge. At one point, Martinez said, "I don't recall the exact details, but when you read the facts in front of you (the allegation in the indictments), I know that those facts are true."

SOME VAGUE outlines of their version of the break-in and bugging did emerge, however.

Barker, who was alleged to be the paymaster of the Bay of Pigs invasion attempt by Cuban exiles in 1961, was also the bagman for the bugging operation, they said, and recruited the other participants.

Sturgis said that he was recruited by a telephone call in which Barker "asked me if I would be willing to work with him, no questions asked."

BAKER SAID he was able to enlist the other Miamians because all had been associated together in the anti-Castro movement. "They have known me for many years. They trusted me," he said.

Barker told the judge under questioning that the money for the operation arrived in the mail in a plain envelope. He said it was expense money only, no other funds, adding that he didn't know the source of the money, but assumed that it came from Hunt.

"I can make no definite statement as to who sent this money to me," Barker said.

The judge seemed dubious, and wondered about "these $100 bills floating around like coupons."

BUT BARKER said there was nothing particularly strange to him about cash mailed in envelopes without instruction.

"I previously had been involved in the Cuban operation —in another operation (he corrected himself), which took the strangeness out of that."

The judge did not press the matter. But, at one point, he remarked, "I'm sorry. I don't believe you."

The four insisted they were working for patriotic reasons, and did not expect to be paid.

"When it comes to Cuba or a Communist conspiracy as it involves the United States, I would do anything, anything to stop it," Sturgis said.

And later, he said, "We are very concerned about the Communist situation."

Sirica did not ask the defendants what connection they thought there might have been between the Democratic National Headquarters or George McGovern's presidential campaign and Cuba or communism.

PUBLISHED reports in late summer speculated that the Cuban exile community feared that Castro was pumping money indirectly into the McGovern campaign in exchange for an easier U.S. policy toward Cuba. The reports were never confirmed, and no hard evidence of any such activity has been made public.

Barker confirmed the government's contention that $114,000 in Republican campaign funds were funneled through his Miami bank account. But he said he did not know who got the money and that he never spent any of it.

He said of the money, "I have an idea it was sent by the person involved in the operation and that it was sent for the purposes of the operation."

Previous reports traced $89,000 of the $114,000 through a Mexican bank to Barker's account. The remaining $25,000 was a Nixon campaign donation received through Kenneth H. Dahlberg, the President's Midwest money-raiser.

(Mount Clipping In Space Below)

McCord: Political Pressure, Perjury in Watergate Trial

By CLARK HOYT
Herald Washington Bureau

WASHINGTON — A convicted Watergate defendant told the judge that there was perjury at his trial and that still unidentified persons were involved in the burglary and bugging of Democratic National Headquarters.

In a letter made public Friday by Chief U.S. District Judge John J. Sirica, James W. McCord also charged that there was "political pressure applied to the defendants to plead guilty and remain silent."

McCord's letter upstaged a sentencing hearing at which the judge handed down stiff prison terms for the six other Watergate conspirators, including former White House aide G. Gordon Liddy. Sentencing of McCord was delayed for a week.

THE LETTER also adds substantially to the potential impact of a Senate committee investigation now beginning.

McCord, former security boss of President Nixon's reelection committee, asked for a chance to talk privately with the judge because he said he could not trust the FBI or the Justice Department.

Declaring that his family fears for his life if he tells all he knows, McCord said he had not even discussed his letter to Sirica with his attorneys "as a matter of protection for them."

Sirica read aloud McCord's explosive letter, dated Monday and filled with typographical errors and penciled corrections, at the opening of the sentencing hearing for the seven men convicted of breaking into Democratic offices and bugging them last summer, at the outset of the 1972 presidential campaign.

THE JUDGE agreed to hear McCord's story behind closed doors, but said, "I will not enter into any agreement with Mr. McCord that my lips will be sealed."

If McCord's information is important enough, Sirica said, he will turn it over to the federal grand jury or to the special Senate committee investigating the Watergate affair.

McCord's lawyer, Gerald Alch, said McCord will meet with the judge next week. He remained free on bond.

In a move apparently calculated to pressure five of the other defendants to cooperate with the grand jury and Senate committee, Sirica provisionally sentenced them to maximum prison terms of more than 40 years.

He said he would consider how much the five help authorities get to the bottom of the Watergate case before imposing a final — and possibly lighter — sentence in three to six months.

LIDDY, accused of masterminding the bugging operation, stood silently with arms folded and head up as he received a $40,000 fine and a prison sentence of from six years and eight months to 20 years.

Sirica told Liddy, former FBI agent, local prosecutor and unsuccessful Republican congressional candidate, that the acts he had committed in the Watergate affair were "sordid, despicable and thoroughly reprehensible."

Liddy, pale and many pounds lighter than when his trial began in January, said after hearing his sentence passed, "Thank you, your honor."

In his letter, McCord said, "Several members of my family have expressed fear for my life if I disclose knowledge of the facts in this matter, either publicly or to any government representative.

"Whereas I do not share their concerns to the same degree . . ." McCord told Sirica, "I do believe that retaliatory measures will be taken against me, my family, and my friends should I disclose such facts. Such retaliation could destroy careers, income and reputations of persons who are innocent of any guilt whatsoever."

McCORD did not indicate who he thought might retaliate or how.

The tall, balding McCord,

Miami Herald
3/24/74



G. Gordon Liddy
...long sentence

who had sat silently throughout his month long trial writing copiously in a small notebook, told Sirica in the letter:

● "There was political pressure applied to the defendants to plead guilty and remain silent." (Five of the defendants — former White House consultant E. Howard Hunt and Miamians Bernard Barker, Frank Sturgis, Eugenio Martinez and Virgilio Gonzales — did plead guilty just before the Watergate trial began. All denied that they were pressured into doing so.)

● "Perjury occurred during the trial in matters highly material to the very structure, orientation and impact of the government's case and to the motivation and intent of the defendants." McCord's letter did not say which witness or witnesses had lied.

● "Others involved in the Watergate operation were not identified during the trial, when they could have been by those testifying."

Prosecutor Earl J. Silbert maintained throughout the trial that no others, besides the seven men accused, were involved in the Watergate bugging as an unauthorized spin-off from a $250,000 intelligence operation that Liddy was assigned to head for the Nixon campaign committee.

SIRICA, however, more than once said he was dissatisfied with the scope of the government's case and added that he hoped the Senate committee would get to the bottom of the affair because he felt the trial had not.

During the trial, Sirica appeared particularly skeptical about the testimony of Hugh Sloan, former treasurer of the Finance Committee to Reelect the President. Sloan testified that he gave Liddy $199,000 in cash but had no idea what the money was for.

McCord, however, without actually naming Sloan, appeared to support his testimony.

"Some statements were unfortunately made by a witness which left the court with the impression that he was stating untruths or withholding facts of his knowledge," McCord said. In fact, he added, "only honest errors of memory were involved."

MCCORD also said the four Miami men "may have been misled by others into believing that (the Watergate bugging) was a CIA operation. I know for a fact that it was not."

McCord said he wanted the private meeting with Sirica "since I cannot feel confident in talking with an FBI agent, in testifying before a grand jury whose U.S. attorneys work for the Department of Justice or in talking with other government representatives."

His comment about the FBI could have strong reverberations on Capitol Hill, where the nomination of L. Patrick Gray III as FBI director has been stalled because of charges that he has been too much under the political influence of the White House.

GRAY, during confirmation hearings before the Senate Judiciary Committee, has acknowledged that he sent raw FBI files on the Watergate investigation to White House counsel John W. Dean III, the man who recommended Liddy for his job with the Nixon campaign committee.

McCord indicated that he wrote his two-page letter to Sirica because he felt "whipsawed" by legal complications arising from questions the judge had posed to him through his probation officer about further details of the Watergate case.

If he answered the judge's questions, McCord said, his answers could be used against him in a possible new trial or in a civil suit the Democratic National Committee has filed against the Nixon campaign. If he refused, however, McCord said, the judge might decide he was uncooperative "and I can therefore expect a much more severe sentence."

WEIGHING the legal complications, together with the possibility of retaliation, McCord said he decided to write the judge "in the interests of justice and in the interests of restoring faith in the criminal justice system, which faith has been severely damaged in this case . . ."

A spokesman for the Justice Department said Friday that if McCord's statement to Sirica "contains information supporting these allegations (of perjury and other criminal activity) or indicating any other violation of federal law, the Department of Justice will, of course, take appropriate action immediately."

On Key Biscayne, Deputy White House Press Secretary Gerald L. Warren said he would have no comment on McCord's charges because it was the "consistent policy" of the Nixon Administration "not to comment on matters in this trial, or any other pending trial.

"It is a policy that we will religiously follow while there is a judicial process in motion," Warren said. "I believe I would leave it at that."

The only other defendant with anything to say at the sentence hearing was Hunt, who read a statement pleading with Sirica to "temper justice with mercy."

"I have suffered agonies I never believed a man could endure and survive," Hunt told the judge. "I stand before you friendless, ridiculed, disgraced, destroyed as a man."

Hunt, 54, a retired CIA agent, former $100-a-day White House consultant and author of more than 40 novels, read his statement in a level, clear voice.

"Because of what I did," he said, "I lost virtually everything I cherished in life — my wife, my job, my reputation."

HUNT WAS fired from his job at the Robert R. Mullen and Co. public relations firm in Washington after he was linked to the Watergate affair. His wife, who also lost her job, at the Spanish Embassy, was killed in December in a plane crash in Chicago. She was carrying $10,000 in cash that Hunt later said was to have been used for an investment.

It he had not become involved in the Watergate operation, he told the judge, his wife would not have lost her job and been on the flight that ended in her death.

"The real victims of the Watergate conspiracy, your honor, as it has turned out, are not the public, but the conspirators themselves."

Hunt's attorney, William O. Bittman, said his client only became involved in the Watergate affair because he believed the Democrats and Democratic candidates had illegally accepted "foreign money" and he wanted to find out about it.

DANIEL Schwartz, the lawyer for the four Miamians, said they had "devoted the majority of their adult life to the fight against tyranny."

Prosecutor Silbert conceded that "their moral culpability is of a lesser degree" than that of Liddy, Hunt and McCord. Silbert portrayed Hunt as one of the organizers of the conspiracy and the man who recruited Barker, Sturgis, Martinez and Gonzales.

In sentencing Hunt and the four Miami men to provisional maximum prison sentences, Sirica said he was ordering further study to find out about their characters before imposing final sentences.

But he appeared to leave little doubt that their cooperation, more than their characters, would decide the ultimate length of time they serve behind bars.

The judge said, however, "I hold out no promises or hopes of any kind to you in this matter."



—United Press International Telephoto

James McCord Enters Federal Court

. . . says he fears revenge if he talks



MARTINEZ



GONZALES



BARKER



STURGIS



HUNT

More Than $3,000 Collected

Miami Cubans Assist Watergate Defendants

By GENE MILLER
Herald Staff Writer

Cubans in Miami have opened five accounts at a bank here to provide financial aid to the convicted Miami Watergate prowlers.

A 14-man committee, calling itself "The Committee of Help," opened the accounts in early March at the Bank of Miami, 110 E. Flagler St.

A spokesman, Reinaldo Vergara, said the committee had collected "between $3,000 and $4,000."

NONE OF the money, he said, had come from the Committee to Reelect the President or from Republican Party sources.

"We have nothing to do with any political thing," Vergara said. "We are not concerned if they are guilty or not."

"They are decent people. Whatever they did, if they did anything, was to help this country in the fight against Communism. We are a group of Cubans helping other Cubans," Vergara said.

Vergara said The Committee of Help opened one account under the name "The Miami Watergate Defendants' Relief Fund," numbered 002-851-7.

JAMES W. MCCORD JR., former security chief of President Nixon's reelection committee, also convicted in the Watergate case, has charged that political pressures were applied to the defendants to plead guilty and remain silent. There have been reports that the defendants also were given money to remain quiet.

Four other accounts are for the four convicted Miamians: Bernard Barker, 504-371-9; Eugenio R. Martinez, 504-369-7; Virgilio Gonzalez, 504-380-0, and Frank Sturgis, 504-372-7.

"We have nothing to do with any political thing. We are not concerned if they are guilty or not."

—Reinaldo Vergara

The four personal accounts were set up, Vergara said, so donors could give to specific individuals.

SPOKESMAN Vergara said that the committee considered the Norfolk-born Sturgis, the only convicted Miamian not born in Cuba, "one, too."

Along with Howard Hunt, a onetime White House aide, the four pleaded guilty in January to the June 17 burglary of the National Democratic Headquarters at the Watergate complex in Washington. They are in jail in Washington awaiting sentence.

The only expenditure from the funds so far, said Vergara, was a payment to the Manhattan defense lawyer, Henry Rothblatt.

However, Mrs. Barker said she had received $400 from the local fund.

Vergara said he didn't know the amount given to attorney Rothblatt. He said he didn't know the numbers of donations nor the exact amount of money collected.

HE SAID that Jorge Perez, a second vice president at the Bank of Miami, was handling the accounts. Perez confirmed the accounts, saying, "They are just like any other accounts."

The committee first met at the Vergara home at 1468 SW 21st Ave. Vergara is a former president of the Cuban Sertoma Club in Miami and is employed as an engraver by The Miami Herald.

At the time of that meeting, the committee issued a declaration:

"It was agreed that none of the four Cubans involved have any criminal record either in Cuba or the U.S., and that on the contrary, they are veteran fighters in favor of a free Cuba, that their families are lacking economic means to live. The committee hopes that their fellow countrymen in exile will contribute in order to help solve the situation of the four men involved."

Vergara identified other Miami committeemen as:

Mario Lazo, lawyer; the Rev. Ramon O'Farrill, a Catholic priest; Max Salvador, a Protestant minister; Cristobal Gonzalez Mayo, president of a professional men's group from the University of Havana; Juan Jose Peruyero, president of the Bay of Pigs Battalion 2506; Luis Arrizurieta, an accountant; and Eddie Suarez Rivas, a lawyer and the son of a former Cuban prime minister.

Others identified are Luis Conte Aguero, a Cuban political leader now a car salesman; Luis Sabines, president of the Latin Chamber of Commerce; Miguel Reves, president of a workers group; Hector Garmendia, a newspaperman; Damaso Ayuso, a worker; Manuel F. Artime, former Bay of Pigs leader; Wifredo Alvarez del Real, a banker; Carlos M. Perdomo, factory worker in Hialeah; Manuel Villamanan, car dealer; and Arturo Callava, a Wells Fargo employe.

Miami Herald
4/20/73

The Watergate Families:

Life Now Means Hard Work for Some, Fear and Harassment for the Others

By CAROL WEBER
Herald Assistant City Editor

If the burglars of Democratic National Headquarters have been paid $100,000 to keep silent about high government officials responsible for their political espionage, it doesn't show in the way their families are learning to survive without them.

Sources close to the Watergate bugging case have claimed that the money was to be paid with the approval of former Attorney John Mitchell, and White House Attorney John Dean.

If the money has been paid, it's not readily visible in the quiet Latin communities where families of four of the men involved in the Watergate fiasco live.

And in interviews with Herald reporters Janet Chusmir, Arnold Markowitz, Roberto Fabricio and Chuck Gomez, the families flatly denied being paid off by anyone.

★ ★ ★

CELIA GONZALES shook her head and held up her hands.

Her fingertips were raw, rubbed red by hours of chopping lettuce and cabbage at the salad bar of the Marriott Hotel near Miami International Airport.

It wasn't like this a year ago.

A year ago the bills around the pink, two-bedroom home in northwest Miami were paid by her husband Virgilio from his $125-a-week locksmith salary.

But "Villo" is in jail, looking at walls and bars that remind him the judge said a 40-year sentence might face him and his three Miami compatriots when they pleaded guilty of burglary in the break-in and bugging of Democratic National headquarters at the Watergate apartments in Washington, D.C.

So now, Celia works, distinguishing herself as the best salad girl in the restaurant, according to the head chef.

With her small salary, and some financial help from a son and daughter, she says she is able to pay her bills.

For Jean Marie Moleski DeGregoria Martinez, life with Eugenio Rolando was already changed. On the day he was arrested, she divorced him.

She was left with 15 years of memories, and a settlement she indicated was around $1,000. Now she is working as a real estate salesperson, taking courses to be a broker. In the lean weeks of learning to sell, bills are piling up faster than her income, she said.

Her life had changed without the Watergate.

JAN STURGIS parks her beat up, five-year- old Chevy in the parking lot at TV Channel 23 and reports to work five days a week as a $520 a month traffic controller.

It is a job she has held for four years. But until Saturday, June 17, 1972, when Frank Sturgis was arrested at the Watergate, she could depend on his income from sale of aluminum windows.

CLARA BARKER apologized to reported Chusmir for her unkempt hair and her rush to make a 3 p.m. appointment.

After 28 years of marriage she speaks of her husband Bernard as though she is a bride, and his continuing influence, even from a Washington D.C. cell, is obvious.

She sold the '72 Nova and '70 Monte Carlo and bought a 1973 Chevrolet to consolidate her bills — just as Bernard told her to do after he was arrested as the ringleader of the Miami group involved in the bugging case.

With luck and good management, she said, she can live three to four years on savings, rental of half her duplex, money from the sale of her husband's real estate business (which he told her to sell) and income from some of his land sales. After that, she shrugged confidently, she can always make at least $75 a week as a secretary.

★ ★ ★

Their lives have changed completely, these Watergate families, and they are learning new methods of survival without, they say, the aid of money floating in from Washington.

They respond to inquiries about their lives in different ways — with confusion, fear, rage, pride and an occasional flash of humor.

Clara Barker threw back her head and laughed at the suggestion that the Miami four were sacrificial lambs paid to take their jail time and to remain silent about the big names in government believed to be directing their bugging activities.

"Silent? Why should they keep silent? Do you think they'd go to jail for 20 years just to be paid $100,000? she asked. "And where do you think we'd hide it?"

MRS. BARKER said the only outside money she has received has been $400 from the "Committee of Help" which was established in the Latin community to collect donations to help the defendants and their families.

Miami Herald 4/20/74

130

None of the other families acknowledge getting any committee money yet.

"All of the things Bernard has done he has done because of his ideals . . . not for money," Mrs. Barker said.

"He was not burglarizing. He was not planting a bomb. He is a fighter for freedom."

Celia Gonzales did not wish to discuss her husband or her life.

Briefly, with her daughter Iliana, 14, acting as interpreter, Mrs. Gonzalez stood at the door of her home at 930 NW 23rd Ave. and told reporter Markowitz that she knew nothing of recent Watergate developments which implicate men close to the President of the United States.

SHE HAD never heard of any of the other defendants before her husband was arrested, she said. And she has not met with or heard from any of their families since.

There has been no aid from the "Committee of Help," no calls from Washington. Just work every day from Saturday through Wednesday, making salads in a place where only the chef knew her husband was in jail.

For 12 years her life had been fairly quiet, with Villo working at the Missing Link Key. In 1971 he even got his American citizenship. She wants her life to stay quiet.

A man identifiying himself as Mrs. Gonzales' brother-in-law stopped watering the lawn across from the little pink house and suggested the interview end.

Later, the brother-in-law and a friend intercepted reporter Fabricio trying to talk with neighbors and ordered him out of the neighborhood, standing by to see that the Gonzales' neighbors were not "bothered."

"I know she has nothing to fear," he said of Mrs. Gonzales. "But she is very nervous about this whole thing."

"If they got into desperate straits, they might've contacted me. I'd hope they would," said Harry Collot, owner of the Missing Link Key Shop, where Gonzales worked before Watergate.

WHEN Gonzales came home on bail before his trial, he and Collot came to a "let's drop the whole thing" understanding, and Gonzales lost his 12-year job.

Gonzales then was hired by Earl Banks, owner of Banks Safe Co. in Hialeah, who said he considered Gonzales a "man of integrity".

"He told me the whole Watergate thing was entirely political and not what people made it out to seem, and that a lot of things would be popping up about it that would set people right," Banks told reporter Gomez. Banks said he has been paying the $34-a-month premium on Gonzales' life insurance policy.

Jan Sturgis panics at questions asked about her husband, a man who always sought publicity before he became enmeshed in the Watergate affair.

"I should not be talking to you after all you and your newspaper have done to discredit my husband," she yelled over the telephone at reporter Fabricio. "You and your kind are worse than Fidel Castro."

Frank Sturgis, born Frank Angelo Fiorini, described in news accounts over the years as a "husky, handsome soldier of fortune" and an "ex-choir boy, athlete, tavern bound bouncer and policeman," was born in Norfolk, Va.

HE WENT to Cuba and served with Fidel Castro, losing his U.S. citizenship in 1960 as a result. He regained his citizenship with the help of Sen. George Smathers of Miami, and became of one of the most vocal and active anti-Castroites in the city.

His family still lives in a white CBS house trimmed in red brick at 2515 NW 122nd St., near Westview Golf Course and near Miami-Dade Community College North Campus where Mrs. Sturgis' daughter Gale is a drama student.

"We hear from Frank often," Gale said. "He can call. And he says he is okay, but I am told not to say anything, so I am going to close the door."

In the neighborhood, few of the older youngsters seemed aware that there's anything different about the Sturgis household.

They still play with Clarissa, the German Shepherd, and the black cocker named Chulo, and watch Princess, the white cat, peer through the curtains.

When Sturgis was home he would give the boys on the block 50 cents to clean out the yard.

"He travels a lot," said one. "Janet talks to my ma about Frank and about Washington," said another. But he didn't know why.

EUGENIO Rolando Martinez, who worked with Bernard Barker in his real estate business, had been having troubles before he was nabbed at Watergate.

The day before his arrest he was in court completing action in a divorce case with his second wife.

Martinez' ex-wife said even though she is divorced from Rolando, she has been harrassed by anonymous phone calls since the Watergate incident.

SHE wouldn't say whether or not she knew about the Watergate bugging plans before her husband left on that last day. But she says she believes "Rolando acted out of a belief — not for money."

The FBI sent men around to see her a couple of days after the arrests, she said.

The FBI visited each of the families. Mrs. Martinez said she was called by Mrs. Barker and warned they were coming.

"She told me to lock the doors and not to tell them anything," said Mrs. Martinez. "When they came they said 'you know why we're here . . . because of the incident.' "

She hears from Rolando occasionally when he writes from the jail, she said.

"He always says he loves me."

Martinez' married daughter, begging not to be identified because her neighbors don't know who she's related to, said she doesn't even know how her father is.

"Life has not changed. The sun still rises, the sun still sets," said her husband.

Clara Barker was different.

"I keep my head very high. I'm proud to be his wife."

She said she didn't know specifically what her husband had been doing, but didn't expect to, because he had been doing "intelligence work" since Castro came to power.

"The left hand doesn't tell the right hand what it is doing, let alone the wife," she said.

The Barkers' only child — a daughter — is married and living in Washington, so Mrs. Barker has been free to spend time in the District of Columbia to be near her husband.

HE CAN have two visitors once a week for a half hour. Back home now at the peach-colored duplex at 5229 NW 4th St., she gestures toward a little avocado tree.

"I don't know if he will be home soon, but if he can stand it, I can. I am not going to fall down. I have to conserve everything he loves — his home, his dog, his fruit trees.

"I can't see anything so bad for all this fuss . . . to me it is just a political thing. He did something he thought was patriotism. Not because someone offered him millions of dollars — that is stupid.

"We didn't like McGovern in the Cuban colony in general. Everytime he said he was going to make friends with Castro we'd say: 'well, what are we all doing here.'

"The more I know and read about this case, the less I understand it . . . the less I know what's going on.

"And now the Senate investigation. It makes us very sad. We do not talk about the case very much in the half hour I try to tell him about the family.

"HE JUST tells me: 'Have faith, have faith.'

"I'll be all right. He was a real estate broker. Do people expect a real estate broker to be broke? People are still honoring his commissions. I'll get money when the business is sold. And I lead a quiet life.

The Committee of Help is having all attorney's fees, she said.

But why ask about money, she asked again.

"Does anybody ask where the money came for the Angela Davis defense fund, or Daniel Ellsburg?"

"Has anybody asked how (James) McCord (head of security for the Committee to Reelect the President, arrested with the Watergate group) made his bail?

SHE excuses herself then to rush to her appointment. Later there will be dinner with friends, or she will read a favorite history book.

Her husband is being treated well, she says, and that counts a lot.

"I got a recent letter in which he mentions the time he was shot down in Germany when he was in the Air Force, and he was sent to prison there.

"He said the D.C. jail was nothing like Stalag Luft One and wrote:

'Thank God for little things.'"



—Associated Press Wirephoto

Attorney Henry Rothblatt With 4 Watergate Suspects Last Year
...from left, Sturgis, Gonzalez, Rothblatt, Martinez and Barker

Nixon Aides OKd Ellsberg Break-In

From Herald Wire Services

LOS ANGELES - Convicted Watergate conspirator E. Howard Hunt has revealed to a Washington grand jury an elaborate scenario, masterminded at high levels of the White House and involving among others, the Central Intelligence Agency, leading to the abortive burglary of the office of the psychiatrist who treated Daniel Ellsberg.

Details of the plot were contained in a transcript of Hunt's testimony read in court Friday at the Pentagon papers trial of Ellsberg and Anthony Russo

In it Hunt describes how:

● The operation in the summer and fall of 1971 was at all times supervised by White House staffers Egil Krogh, whom Hunt describes as "principal deputy" to John Ehrlichman, then chief domestic affairs adviser to the President, and David Young, who until recently was on the staff of the National Security Council.

● The CIA was enlisted to provide a secret camera, other technical equipment and false papers and disguises for Hunt and G. Gordon Liddy, also one of those convicted in the Watergate burglary.

● When the burglary of the office of Dr. Lewis Fielding failed to turn up results, a special CIA unit headed by Dr. Bernard Malloy, was called in. Hunt described Malloy's unit as a "psychiatric unit set up at the CIA to provide in effect second-hand profiles of persons of interest to the United States government. That is an activity that has been on-going for years." Hunt said Malloy did provide a profile of Ellsberg, which he turned over to Young or Krogh in the form of a memorandum.

● The actual burglary of Fielding's office was performed by three men, Hunt said, Bernard Barker, ex-CIA agent also convicted in the Watergate case, and two Cubans, a "Mr. Martinez" and Felipe De Diego. Martinez is apparently Eugenio Martinez, who pleaded guilty in the Watergate case. De Diego was allegedly involved in an assault on Ellsberg on May 2, 1972, at a rally in Washington, D.C. Hunt said he and Liddy served as lookouts during the burglary.

Barker, Martinez and De Diego are all from Miami.

(In Washington, a CIA spokesman would neither admit nor deny any of Hunt's testimony or whether the CIA had ever turned over any psychological profile on Ellsberg to the White House. The spokesman would not comment on whether a Dr. Bernard Malloy in fact worked for the CIA.)

HUNT told a cloak-and-dagger tale of plans for the burglary which included nighttime meetings in so-called "safe" houses in Washington. At those houses, he said, he and Liddy met with the CIA men who gave them the camera which was to be used to photograph Ellsberg's psychiatric records and provided them with the disguises. He did not say what the disguises were, but said they were given false identification papers to use.

Hunt said that throughout the operation Krogh was aware of all developments. He said that following the break-in he and Liddy went to a Los Angeles hotel and at 4 a.m. they called Krogh to inform him the burglary had occurred. Later, he said, Krogh was given a full report.

Krogh, who earlier this week took a leave from his job as undersecretary of the Transportation Department, was reportedly questioned for four hours Friday by federal prosecutors.

At one point in his testimony, Hunt added to the mysterious surroundings of the burglary by saying, "I operated through Mr. Krogh . . . but I had been given a sterile (phone) number at the Central Intelligence Agency to call when material requirements needed to be met." He said that was an unlisted number in which the billing could not be traced.

AFTER the break-in, Hunt said he tried to tell former White House counsel Charles W. Colson about what had happened. But Colson refused to listen.

Hunt said he went to Colson's office carrying with him a photograph of the rifled file cabinet in Fielding's office and told Colson, "I have something I want to show you that has to do with my actions last weekend." Hunt said Colson told him, "I don't want to hear about it," and rushed into another office.

Hunt said Young, the former employe of the National Security Agency, also knew about the authorization for the burglary.

Hunt said that he never talked to Ehrlichman himself about the burglary and related matters and does not know if Ehrlichman or any other officials in the White

Miami Herald 5/5/73

House were informed about it. He said the initial investigation into Ellsberg's psychiatric history was launched because of official fears that Ellsberg might become a political "martyr" if he were prosecuted.

HUNT said, "It became known to Mr. Liddy and myself, and I believe it must have been Mr. Krogh who told us there was an intense amount of interest in Mr. Ellsberg." He said the White House had been receiving reports from the FBI and other law enforcement bureaus, and that he was given access to all of this material on a routine bases.

"At that time, as I understood it, there was some concern in the White House about the appropriateness of seeing the prosecution actually take place in regard to Dr. Ellsberg and his associates, and I shared that concern, my own feeling being that he would probably become a martyr, in looking at things politically and I thought it was a poor judgment to draw."

He said FBI reports kept coming in on Ellsberg and "a picture of a man belong to emerge that aroused not only interest on certain White House officials, and I'm not sure who all of them (were), but certainly on the part of Mr. Krogh and Mr. Young, and, as far as that goes, myself, to the extent I was a White House official, and Mr. Liddy."

It was at this point, Hunt said, that Krogh suggested a report be made on Ellsberg's "prosecutability." He said he didn't remember who first mentioned the possibility of a "bag job" on the psychiatrist's office.

He said he and Liddy first flew to the West Coast on Aug. 25, 1971, made a "feasibility" study of the psychiatrist's office and decided the burglary could be accomplished.

"We passed through the building one evening, took some photographs with a very special camera and located where Dr. Fielding's home was located," Hunt said.

HE ADDED that they returned to Washington, wrote up their findings, developed the photographs and that he believes Liddy submitted them to Krogh. "I would have to assume that he (Liddy) and Mr Young discussed it as was their custom and then it went to Mr. Krogh."

Hunt said the camera he and Liddy used "was issued by the Central Intelligence Agency. It was issued through the representations of Mr. Krogh. . . It was issued to me."

He said he and Liddy "received our documents and physical disguises at different places and a different places and at these occasions, Hunt said, "I operated through Mr. Krogh."

Hunt noted that when the operation began to progress, "it was pointed out to us. . . that no one with any association with the White House could be involved in any way directly with such an operation."

THUS, he said, "I was asked whether or not as a result of my old CIA contacts, I could come up with a team capable to make such an entry. I said that I would look into it, and I must have gone down to Miami at that time to interview Mr. Barker and some of his associates. . . Mr. Barker said he would be very glad to help in a national security operation, which is how I described the operation to him."

He said he then met the to Los Angeles with the two two Cubans, who he said were then hired for the job.

He said he and Liddy went Cubans on Labor Day weekend of 1971 and checked in at the Beverly Hilton Hotel under assumed names.

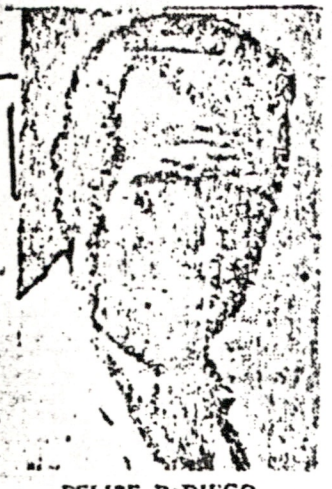
During the burglary itself, Hunt said he was stationed at Fielding's residence to make sure the doctor's car stayed in the garage and Liddy cruised the area around the doctor's office.

When the intruders discovered the doors to the building were locked because of the holiday weekend they had to force their way in, Hunt said. But their search of the office failed.

"It was reported to me that they had gone through every file in Dr. Fielding's office, including the one in his desk, and that there had been absolutely no material in it with the name of Ellsberg on it of any sort," Hunt said.

HE SAID the Cubans took pictures of the open file cabinets to show they had done the job. Later, "they were told to take the next plane out of town" while Liddy and Hunt reported by phone to Krogh.

(Mount Clipping in Space Below)



FELIPE DeDIEGO

'I'll Testify On Break-In' Miamian Says

By ROBERTO FABRICIO
Herald Staff Writer

Miamian Felipe DeDiego, surprised at disclosures that he was involved in the break-in at the office of Daniel Ellsberg's psychiatrist, said he would be glad to return to testify before the Watergate Grand Jury if his immunity from prosecution is extended.

"I will not accuse others publicly, but if the Grand Jury calls me back I will be glad to cooperate fully to the extent of what I know if my immunity is extended," said DeDiego in a telephone interview.

"Anything I say to you can hurt me."

Convicted Watergate conspirator Howard Hunt told a Washington grand jury earlier that DeDiego and Bernard Barker and "a Mr. Martinez" had broken into the offices of a psychiatrist who treated Ellsberg. Miamian Eugenio Martinez is among those convicted in the Watergate burglary.

DeDIEGO did not deny he was involved in the break-in.

He was granted immunity when he appeared before the Watergate grand jury after he repeatedly invoked the Fifth Amendment. DeDiego was called by the grand jury after his code name on the Watergate Hotel registration desk was traced to his Miami address.

Apparently shaken by the Hunt disclosure implicating him further in the surveillance activities, DeDiego said he hoped the public and the authorities realized the involvement of the Miami Cubans in the case was coincidental.

"We thought we were working for the CIA all the time," DeDiego Said. "If Hunt is saying there were some people from the CIA there, you can imagine what we thought. We thought it was all CIA."

DeDIEGO previously admitted that he and the other Miami Cubans convicted in the Watergate conspiracy had assembled in May 1972 to disrupt the anti-war demonstrations at the funeral rites of J. Edgar Hoover. Their principal target at the time was Daniel Ellsberg, said DeDiego.

"I have been so confounded by so many public officials in high honorable positions accusing each other in public that I don't know what to believe or what to think any more," said DeDiego. "This has reached the gutter level.

"What is happening is that everybody is trying to save his hide. This is too sad," said DeDiego.

Miami Herald
5/5/73

(Mount Clipping In Space Below)

Miamian bares Ellsberg case break-in role

By RICK ABRAMS
Miami News Reporter

Felipe DeDiego, a Miamian and friend of Watergate conspirator Bernard Barker, testified today before State Attorney Richard Gerstein that he accompanied a burglary team to the office of Daniel Ellsberg's psychiatrist in the summer of 1971.

DeDiego said the burglary team was told it was on a national security mission.

The break-in at the office of Dr. Lewis Fielding in Los Angeles led to the resignation yesterday of Nixon's undersecretary of Transportation, Egil Krogh Jr., who admits planning the Ellsberg mission.

Gerstein said today he took DeDiego's testimony at the request of the Los Angeles district attorney.

Gerstein said that DeDiego testified freely after being given immunity for any Los Angeles crime. "If he is immunized elsewhere he can shed light on other matters," Gerstein said.

DeDiego testified that he was not paid for the Ellsberg mission but was told he would get plenty of money on future assignments.

He said that he accompanied to Los Angeles Barker, one of those convicted for the Watergate bugging affair, and Eugenio Martinez, another of the "Miami four" convicted in the break-in at the Democratic Party headquarters in Watergate.

DeDiego said they met in Miami, caught a plane and went to a hotel one block from the office of Dr. Fielding in Beverly Hills.

At 9 a.m. that night, he said, the three left the hotel with a suitcase full of camera equipment and walked to Fielding's office.

They approached a Mexican cleaning woman in the office and spoke to her in Spanish. They told her they had some inportant material to leave in the office. She allowed them to place the case of equipment inside.

DeDiego said they returned a little later and walked around to the side of the building. Using glass cutters, they cut a hole and opened the ground floor window.

Once inside DeDiego was told to help hunt for the file of Ellsberg, defendant in the Pentagon Papers trial. But, DeDiego said, Martinez found it and began photographing the contents.

He said when the photography was finished they left carrying the suitcase through a door and returned to the hotel. Barker went off with the suitcase of camera equipment and returned without it, DeDiego said.

Miami News
5/10/73

(Mount Clipping In Space Below)

Ellsberg Burglary Described

In National Interest, Miamian Testifies

By GENE MILLER
Herald Staff Writer

Under a grant of immunity, Miamian Felipe DeDiego testified Thursday how he and two convicted Watergate burglars broke into the office of Daniel Ellsberg's psychiatrist in 1971 in "the national interest."

DeDiego told Martin Dardis, chief investigator for State Attorney Richard E. Gerstein, that he and Bernard Barker and Eugenio Martinez used masking tape and glass cutters to break a window, physically pushed down a door, then photographed the files of Dr. Lewis Fielding.

DeDiego said he didn't "personally see" Ellsberg's psychiatric records, Dardis said, "but that afterwards Barker told him, 'We have completed our mission, we have done our part.'"

GERSTEIN GRANTED the immunity at the request of the Los Angeles district attorney.

The burglary occurred Sept. 3, 1971 in Beverly Hills.

DeDiego said Barker, now jailed with Martinez in the Watergate burglary, told him about the break-in plans at Barker's real estate office here at 2301 NW Seventh St. He used to work for Barker as a real estate salesman.

"He (DeDiego) said he thought he was on a mission for the CIA," Gerstein said.

The three men flew from Miami to Los Angeles and checked into a hotel in Beverly Hills, DeDiego said. Barker left the room for a few moments and then returned with a briefcase. "It contained photographic equipment, 35 millimeter film and spot lights," Dardis said.

DEDIEGO SAID he was told he was working for "Eduardo," the name E. Howard Hunt used during the Bay of Pigs invasion of Cuba. Hunt an ex-CIA agent and ex-White House aide, is also now in jail for the Watergate crime.

DeDiego said he never saw Hunt during the "mission for the government." Barker paid all expenses, he said. He was promised "payment in the future."

The three Miamians went to the psychiatrist's office three times. First it was "for reconnaissance during the daylight hours," Dardis said.

Then they returned at 9 p.m. and spoke to a chamber maid of Mexican extraction, said Gerstein. "By a ruse," they convinced her to let them leave the briefcase in Dr. Fielding's office. "They told her it was for the doctor."

At 1 a.m. they returned the third time and entered by a first floor window, using glass cutters. This wasn't the doctor's office. They found his door "and the three of them physically pushed it open," Dardis said.

ACCORDING TO DeDiego, they remained inside for 45 minutes to an hour, photographing files. "Martinez was the photographer," Gerstein said.

They left the office in disarray, making no attempt to cover up the burglary. Barker, DeDiego said, left them again later and returned without the briefcase.

Gerstein said he carefully confined the immunity to the Los Angeles break-in and that DeDiego was not interrogated on "other matters."

"I am convinced that, given immunity, he could shed light on other crimes," Gerstein said later.

DeDiego appeared at the state attorney's office with Alfredo Duran, a well-known Cuban lawyer. Duran, Gerstein said, felt that his client "was duped and used."

DeDiego, 45, of 1841 SW 92 Pl., told The Herald two weeks ago that in May 1972, the Watergate burglary team flew from Miami to Washington to disrupt antiwar demonstrations at the funeral of J. Edgar Hoover.

At that time, their target was Ellsberg, "the traitor," DeDiego said.

Miami Herald
5/11/73

137

(Mount Clipping In Space Below)

Miamian calls Ellsberg traitor, says he would raid office again

By LOUIS SALOME
Miami News Politics Writer

Felipe DeDiego, who testified that he and two other Miamians broke into the office of Daniel Ellsberg's psychiatrist in 1971, says he would do it again because Ellsberg is a "traitor."

In an interview last night outside his home at 1841 SW 92nd Pl., the black-haired, nattily-dressed DeDiego said, "I will be happy to do anything to help the country. We did what should be done.

"That guy (Ellsberg) was a traitor. I compare that guy to the Rosenbergs (Julius and Ethel) who stole the atomic bomb secrets."

Ellsberg is on trial for copying the Pentagon Papers — a study on the origins of the Vietnam War — and turning the material over to the press.

DeDiego was granted immunity yesterday when he told the Dade County state attorney's office how he, Bernard Barker and Eugenio Martinez on Sept. 3, 1971 broke into the Beverly Hills, Calif., office of Dr. Lewis Fielding, Ellsberg's psychiatrist.

Barker and Martinez are in jail for participating in the Watergate burglary. At the time of the break-in at Ellsberg's doctor's office, DeDiego said he worked in Barker's real estate office here.

DeDiego said Barker asked him to help with the Ellsberg affair about "two or three days" before they left Miami for California. DeDiego said he has known Barker since the abortive Bay of Pigs invasion in 1961.

"I went there just for the Ellsberg case. I didn't do anything else," DeDiego said in a brief interview during which he had one foot inside his Buick Riviera most of the time, while his wife sat inside the car waiting to leave.

DeDiego arrived at his home at about 8:40 p.m. where he picked up his wife and quickly left. He said he was going to Puerto Rico today because of a family illness.

Dressed in a white suit and reacting cordially to questions, DeDiego said he believed that Barker was acting on orders from E. Howard Hunt, a former CIA agent and former White House aide who is also in jail for the Watergate burglary.

But DeDiego said, Barker did not tell him this. DeDiego also denied knowing Hunt.

Miami News
5/11/73

138

FD-350 (Rev. 7-16-63)

(Mount Clipping in Space Below)

* * *

Did the E. Howard Hunt-White House et al "burglary gang" also knock off the Chilean Embassy in Washington in May, 1972?

After a limited grant of immunity, Miamian Felipe DeDiego admitted this week that he burglarized the office of Daniel Ellsberg's psychiatrist in what was a White House-directed "investigation" in the Pentagon Papers case. To investigators here DeDiego implied he would like some more immunity.

A month before Watergate, someone broke into the Chilean embassy, prying open desks, scattering files. At the time protesting Chilean diplomats blamed it on "bandits."

If involved, DeDiego could be a little late. Bernard Barker and Eugenio Martinez, whom he fingered in the Ellsberg burglary, both testified before a federal grand jury in Washington on Friday. They had immunity.

Miami Herald
5/13/73

(Mount Clipping in Space Below)

77 Segretti Calls to Floridians Uncovered

By DOUG CLIFTON
And ROB ELDER
Herald Staff Writers

Donald H. Segretti, the Republican operative accused of political dirty tricks and sabotage directed and financed by the White House, conducted a Florida campaign that only now is being uncovered by the FBI and other investigators.

Already indicted for forging a phony letter that smeared three Democratic candidates in the Florida presidential primary, Segretti also visited the state at least twice during the election campaign and placed a minimum of 77 phone calls to Florida residents, The Herald has learned.

Smiling but fidgety, the five-foot-two, boyish-faced young Los Angeles lawyer stood silent in Tampa Thursday while his attorney pleaded not guilty for him to a misdemeanor charge involving the letter. Segretti would not even tell reporters his age, sometimes reported as 31 and sometimes as 28.

But other people were talking — to FBI agents who spurred around the state last week questioning Segretti's Florida contacts. And although an Orlando grand jury ended its term after hearing some testimony in the case Friday, U.S. Attorney John Briggs said a Tampa grand jury will continue the inquiry into whether Segretti's work hatched other "political crimes" in Florida.

contacted by Segretti — and all of whom deny he asked them to do anything improper — are known to include Martin Douglass Kelly, 22, Dade-Broward Young Republican and former campaign aide to defeated GOP candidates Ellis Rubin and Mike Thompson. Segretti placed at least 51 calls to Kelly's Miami and Fort Lauderdale phones.

Kelly, who testified Friday before the Orlando grand jury, has said Segretti, using the name "Simmons," called him to talk about "the Democratic primary, Muskie and Lindsay" and other political matters and "wanted me to help with the Young Voters for the President at the convention."

Kelly has denied to investigators that Segretti "ever asked me to do sabotage." But The Herald's attempts to reach him for comment Friday and Saturday were unsuccessful.

FROM A TAMPA motel in late 1971, Segretti, again using the name "Donald Simmons," placed three calls to James Griffith, a middle-aged staff member at the Florida Citrus Mutual office in Lakeland. Griffith confirms getting one of the calls.

"He wanted to know about Young Republicans in the area . . . I assume he called me because he knew my son," Griffith said his son, Atlanta lawyer Kenneth Griffith, met Segretti while both were in the U.S. Army Judge Advocate General's Corps. Kenneth Griffith also was called by Segretti and was asked to campaign for President Nixon and to organize young Republicans, but declined, according to his father, for business reasons.

The elder Griffith says that "there was no intimation he (Segretti) was interested in clandestine activities." Griffith told Segretti he didn't know any Young Republicans, but he did give him the name of Dr. Victor E. Vaile, a Winter Haven dermatologist and then Republican Party chairman of Polk County.

VAILE RECALLS talking to a caller who identified himself as "Simmons":

"He said he was active in politics and was working for the Nixon campaign.

"I'm quite sure he didn't suggest anything dirty."

Segretti called Vaile on Dec. 1, 1971. Investigators also believe Robert Benz, 25, former Tampa Young Republican chairman and Segretti's unindicted co-conspirator in the bogus letter case, placed a call to Vaile's number eight months later, on Aug. 8, 1972. Vaile says he doesn't know Benz and doesn't remember any call from him.

Segretti himself is known to have placed calls to still other Florida phones, including an office phone at Avanti Press. The Hialeah printing company is owned by Jose Arriola, a Cuban exile whose phone number was carried in

Miami Herald 5/20/73

the address books of Watergate burglars Bernard Barker and Eugenio Rolando Martinez.

ARRIOLA TOLD Herald reporter Roberto Fabricio last week that he knows Barker and Martinez — but he denied getting the four calls Segretti placed to Avanti Press last May. Explaining that he has had a turnover of at least 50 employes, Arriola suggested that the calls might have gone to one of them. But whoever got the calls, Avanti Press printed no political propaganda, he said.

Another phone number called by Segretti is that of Sarasota lawyer William Kreag, a pro-Nixon Democrat who denies having talked to Segretti and who insists no one in his office did either.

At the time Segretti called Kreag's office number, the lawyer had an assistant who is no longer there. Kreag refused to tell The Herald the assistant's name or where he could be found.

Kreag, like Dr. Vaile and operators of a motel where Segretti stayed in Tampa had a visit from the FBI last week. So did Doug Kelly's former landlord in Fort Lauderdale.

Roger Silversmith, the landlord, asked an agent what it was all about.

"YOU'LL READ about it in the papers," he says he was told.

In trying to figure out what Donald Segretti was up to in Florida, the FBI has, as a starting point, a list of phone calls which is suggestive and yet inconclusive.

In addition to the 51 calls to Kelly, there were 16 to Benz, the Tampa Young Republican who helped with the Muskie letter, three calls to Griffith's number, two to Vaile's and one to Kreag's.

On each of seven separate dates — April 3, 10, 25 and 27, May 3, June 7 and July 5 — Segretti placed calls to both Benz's number in Tampa and Kelly's numbers in either Miami or Fort Lauderdale.

ON JUNE 24, numbers in Inglewood, Calif. were called from Benz's phone and from Kelly's phone. Inglewood is a Los Angeles suburb. Segretti lived in Los Angeles when he wasn't criss-crossing the country. But there is no known link between the unlisted Inglewood numbers and Segretti. And the Inglewood number called from Kell"s phone is not the same Inglewood number called from Benz's phone.

As last summer's nominating conventions neared, Segretti's calls to Florida grew more and more numerous. By early July he was calling Kelly's numbers almost daily. On July 11, the second day of the Democratic Convention in Miami Beach, Segretti placed three calls to Kelly's Broward number.

After that the calls dwindled until early August, when they apparently ceased altogether. Segretti is known to have been in Miami during the Republican Convention, which opened Aug. 21. (Segretti also was in Florida earlier, on Nov. 30 and Dec. 1, 1971, when he stayed at the Causeway Inn in Tampa and met with Benz, according to a federal indictment, to plot the Muskie letter.)

THE ONE THING that seems unmistakably clear about all this is that Segretti was very interested in making contacts among Florida Young Republicans in general — and with Doug Kelly in particular.

Kelly has told investigators he got only a few of Segretti's calls and that on some of them — he wasn't at all clear about this — he may have been told to hang up and to call "Simmons" back at another number later. Has he ever met Segretti in person? "Not to my knowledge." Segretti may have picked him, Kelly has suggested, because of his work in GOP politics.

Active in Young Republican circles since his college days, when at the University of Miami he was second vice chairman of Florida College Republicans, Kelly says that along with the Segretti calls he received "dozens and dozens" of others concerning legitimate party business.

When Segretti first started calling him, Kelly lived with his parents, retired Air Force Lt. Col. and Mrs. J. D. Kelly of Miami. Last June, when Segretti began calling more often, Kelly and a friend rented an apartment in a Broward singles complex, Town and Country. The friend and roommate was Paul Gougelman, now legislative assistant to State Rep. Dan Bass in Tallahassee.

GOUGELMAN says he and Kelly shared a phone and both made a lot of long distance calls on Republican business. Gougelman denies he ever talked to Segretti or knew, at the time, of Segretti's calls to Kelly.

Many of Kelly's calls had to do with two political campaigns he worked in during the summer of 1972 — those of Ellis Rubin and Mike Thompson.

Rubin, a Republican who unsuccessfully attempted to unseat U.S. Rep. Dante Fascell, says Kelly conducted a survey which "had a great influence on my decision to run."

But neither Kelly nor Segretti had anything to do with his fiery crusade — also unsuccessful — to keep Miami Beach from providing a campsite for convention demonstrators, Rubin says. That was all his own idea, he insists.

Rubin says he never talked to Segretti. He fired Kelly, he says, because the young man became "too bossy." Kelly then went to work for Thompson, the Republican who ran unsuccessfully against Florida House Speaker Richard Pettigrew for a seat in the state Senate.

"I knew him to be honest and trustworthy," Thompson says of Kelly. When he learned Segretti had telephoned Kelly, Thompson says he questioned Kelly about it "very closely" and was satisfied with Kelly's explanation:

"He assured me he had only spoken to Segretti about 10 or 12 times and each time Segretti asked him to help out at the convention. Doug told him he was too busy with school."

Thompson and Kelly ended their campaign trail on friendly terms, and Thompson got Kelly his present job, as an administrative assistant for Italcamblo Inc., 1470 NE 129th St., a North Miami coin-minting company.

BOTH THOMPSON and Kelly also played roles in the GOP Convention. Claiming policemen did nothing to keep anti-Nixon demonstrators from banging on his Lincoln Continental, Thompson sued the City of Miami Beach on opening day of the GOP Convention. At a crucial point during street demonstrations, Police Chief Rocky Pomerance was summoned to court in connection with the suit, which Thompson filed before Circuit Judge Shelby Highsmith. Pomerance ignored the hearings.

Kelly's part in convention activities is less clear. He is understood to have told State Attorney Richard Gerstein's office that he contacted people in the Miami area and asked them to work at the convention. According to Kelly, the work involved such logistics as meeting airport arrivals, providing drivers and arranging tours.

But Gougelman, Kelly's former roomate, recalls Kelly in another convention role as well. Before the convention, Gougelman says, he, Kelly and a neighbor received calls from Mike Carr, a Gainesville Young Republican and Young Americans for Freedom leader who had gone to Washington to work for the Committee for the Reelection of the President.

CARR ASKED them "to help out with a pro-Nixon war veterans group that was coming to Miami for the convention," Gougelman recalls. According to him, Kelly and the neighbor agreed and worked with the group, called Vietnam Veterans for a Just Peace.

(Gougelman says the neighbor was "more involved" than Kelly with this organization. Unsuccessful attempts were made to reach the neighbor for comment.)

A handful of young men did appear at the convention, identifying themselves as pro-Nixon veterans who had served in Vietnam. They made an obvious attempt to counter-balance the much larger Vietnam Veterans Against the War, which brought 600 demonstrators to march in opposition to Nixon.

One of those identifying himself as a pro-Nixon veteran, a young man who said he was Stephen Mced an anti-Nixon women's demonstration in front of Convention Hall. Another pro-Nixon vet, Russell Vest of Fort Myers, told Herald columnist Charles Whited that the group had been organized by Mike Carr.

THUS CARR definitely seems to have been connected with Vietnam Veterans for a Just Peace, although Kelly's connection is less clear.

Last week, William Rhatican, now an aide to White House press secretary Ronald Ziegler and formerly an assistant to former White House special counsel Charles W. Colson, said Colson set up Vietnam veterans groups to back Nixon. These appeared to be volunteer organizations.

In fact, Rhatican said, they used GOP campaign funds.

Mel Stevens, a consultant to the Veterans Administration, was loaned to Colson to set up a pro-Nixon veterans group that also used government money. This apparently was Vietnam Veterans for a Just Peace, whose Florida work was coordinated by Carr as an employe of CRP.

Carr now works for U.S. Sen. Edward Gurney, the Florida Republican on the Senate's Watergate investigating committee whose hearings are being broadcast on national television.

WHEN HERALD Washington correspondent Phil Gailey attempted to inquire last week about Carr's former role with CRP and the veterans' group, he met a solid wall of silence.

Carr himself at first agreed to discuss it over lunch, then abruptly canceled and referred Gailey to Sen. Gurney's office.

Gurney's office promised a statement by Friday afternoon — then didn't deliver and said no information would be available until Monday.

And CRP at first agreed Friday to provide information about Carr on Saturday — and then Saturday morning said there would be no statement.

IN THE ABSENCE of any information linking Segretti with Carr — except very tenuously through Kelly — the refusal of Washington Republicans to talk about Carr was unexplained.

Equally unexplained are a series of events which attracted no more than passing attention when they occurred during the GOP Convention in Miami Beach but are now being reexamined in light of the Watergate web of intrigue in which Segretti played a key role.

For example:

As anti-Nixon Vetnam Veterans Against the War marched into Miami on Aug. 20, the day before the convention opened, a dozen Cubans showed up to jeer at them — and then disappeared.

On the same day, a Gainesville man was arrested just outside the Flamingo Park demonstrators' campsite. VVAW members claimed they caught Stephen McHugh with Molotov cocktails and wrist rocket slingshots — the very kinds of weapons the Nixon Administration's Justice Department had accused the VVAW of conspiring to use at the convention. McHugh — who is not a VVAW member — paid a $100 fine and was released.

AS THE convention opened on Aug. 21, pro-Nixon Cubans demonstrated outside the hall and a few of them attacked anti-Nixon youths who were carrying out a separate demonstration.

The VVAW made an orderly march to Miami Beach High School, staging area for National Guardsmen who were held in reserve (and never used) for possible riot duty. Seven young men climbed to the high school roof and were arrested.

More

All were identified at the time as VVAW members. Lask week a Herald investigation determined that only one of the seven was a VVAW member — and the other six could not be located at the addresses on their police booking records.

On Aug. 23, a group of pro-Nixon blacks physically forced their way into the demonstrator campsite, injuring one VVAW member.

And while the VVAW and and other mainline anti-war groups kept their demonstrations for the most part peaceful, other groups that never had been heard of before and that have not been seen since — such as the "Attica Brigade" and the "Black Guard" — roamed the streets of Miami Beach, trashing the city, slashing tires and setting off a massive police counterattack which drenched the entire scene in tear gas.

NO EVIDENCE links any of this with Segretti or with any of his Florida contacts. But the Florida investigation is continuing amid almost daily reports of new accusations that the White House and the Committee for the Reelection of the President used infiltrators, spies and provocateurs in the 1972 campaign.

Strangest of all is the scattered evidence that suggests that Segretti and the Watergate burglars, whatever else they may have done, possibly also played a part in lining up the legal, legitimate and above-board side of the Miami Beach convention.

For example, there is Kelly's statement that Segretti wanted him to help with Young Voters for the President, the 3,000 fresh young faces who came to town to form an almost constant backdrop for the Nixon renomination and to counter the notion that youth was opposed to four more years of Nixon Republicanism.

THE NIXON youngsters were an ever-present cheering section; they looked great on television; and careful arrangements were made to feed, house and transport them while they were here.

The Young Voters for the President ended up sleeping elsewhere, but before the convention an attempt was made to find them accommodations in dormitories at the University of Miami.

UM housing director James Grimm recalls how two men came to see him about this last May. Grimm recalls one of the men on as a member of the Young Republican; he does not recall the name.

The other man was a Miamian who then was little known outside Cuban-C circles. Now he's famous as Eugenio R. Martinez, one of the Watergate break-in squad.

(Mount Clipping in Space Below)

'Miami 4' Resisted Pressures To Sell Silence, McCord Says

By PHIL GAILEY
Herald Washington Bureau

WASHINGTON — The decision by four Miami men involved in the Watergate bugging to sell their silence did not come easy, convicted conspirator James McCord Jr. said Tuesday.

In testimony before a Senate committee, McCord described how the four became "emotionally overwrought" as they tried to resist pressures to plead guilty and remain silent even into the first days of the Watergate trail, which began Jan. 8.

McCord said that one of the men, Bernard Barker, a Miami real-estate agent, was particularly emotionally wrenched as the pressure became intense.

BARKER was one of the "Miami Four" involved in the Watergate bugging. The others are Eugenio Martinez, one of Barker's real-estate salesmen; Virgilio Gonzales, a Miami locksmith; and Frank A. Sturgis, an aluminum-door salesman and self-professed soldier of fortune.

They pleaded guilty to their role in the break-in at Democratic headquarters in the Watergate and face maximum prison sentences of 35 years each.

McCord testified that Barker told him on several occasions—including the first two days of the trial — that E. Howard Hunt, another convicted Watergate conspirator, and others had pressured the "Miami Four" to plead guilty in return for a promise of executive clemency, financial support for their families and "job or rehabilitation" while in prison.

McCord said that Barker described the pressure as "intense."

"HE (BARKER) stated first that he was planning not to plead guilty and then, subsequently, as the days progressed during the week (of the trial) itself, he began to tell me that he was thinking more and more seriously about it," McCord told the committee.

"As I recall, about Wednesday of that week, roughly — in that week sometime — he seemed to have his mind made up that he would go ahead and accede to the pressure and plead guilty," McCord said, and he put it in just about those words, and to accept the executive clemency.

"He was in a pretty highly emotional state at one point in time, the first day or two, stating that he was fighting the pressure as best he was able, and it was clear from his demeanor that he was very worked up and very emotionally overwrought — split between what he was being forced to do and what he felt perhaps he ought to do in going ahead to proceed with the case and to see if he could get a fair trial."

McCord said he thought all four men were under the impression that President Nixon himself had authorized executive clemency for them in return for their silence.

HE SAID that Martinez, Sturgis and Gonzalez also talked to him in the courthouse corridors during the trial about pressures they were coming under to plead guilty.

According to McCord, the four never discussed Hunt's authority to promise executive clemency.

"The focus of their concern," he added, "was what should they really be doing about it and what concern they had if they did not do it, or if they turned it down, what would be their future and what was going to happen during the trial. So there wasn't much at all in the way of who was doing it and where it came from. Our general context of discussion was that everybody understood that there was only one place that executive clemency can stem from, so nobody had any reason for discussing it."

Henry B. Rothblatt, former attorney for the four Miami defendants, asked about "intense pressure" on his then-clients, said:

"I KNOW all about (pressure). I'd be a pretty stupid attorney if I didn't know all the facts, but I cannot discuss that because of the client-attorney relationship that existed, and so they have the privilege to keep me from testifying. Unless they release me from that privilege, I am bound to silence.

"I refused to enter a plea of guilty because of what I felt were obvious circumstances, and so since they wished to enter a plea of guilty, I withdrew from the case."

McCord said that Hunt first spoke of executive clemency in early October 1972 and "mentioned it in al-

Miami Herald 5/23/73

most every call thereafter."

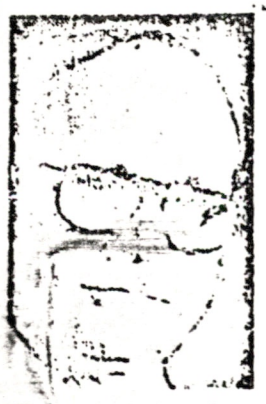
Hunt's wife, who later was killed in a Chicago plane crash, also relayed a promise of executive clemency to the defendants, McCord testified.

ASKED IF Mrs. Hunt ever mentioned who authorized her to make the offer, McCord said he couldn't recall. However, he said she told him that she had been in touch with Kenneth Parkinson, one of the attorneys for the Committee to Reelect the President, on the matter and that her husband had communicated with another reelection committee attorney, Paul O'Brien.

Before he began his testimony, McCord was asked by Samuel Dash, committee majority counsel, not to refer to "the Cubans" or "Cubans" as he had in earlier testimoney.

Dash said that "a number of Cuban-Americans and others of Latin nationalities" had expressed concern over that fact that McCord had referred to other Watergate conspirators by their proper names, but had spoken of the four men from Miami as "the Cubans."

McCord assured the committee that he had not intended to cast aspersions on the ethnic background of the men.



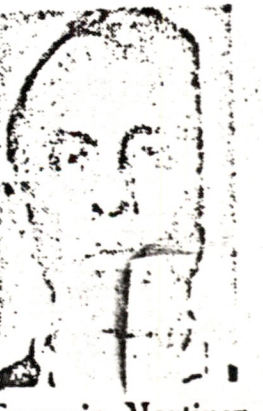
Bernard Barker ... *overwrought*



Virgilio Gonzales ... *locksmith*



Frank Sturgis ... *door salesman*



Eugenio Martinez ... *Barker employe*

FD-350 (Rev. 7-16-63)

(Mount Clipping In Space Below)

Spy Job Offer at Convention Revealed

By ROB ELDER
Herald Staff Writer

A Miami man said Tuesday that convicted Watergate burglar Eugenio R. Martinez offered him $700 a week to infiltrate protest groups at last summer's Democratic convention and to embarrass George McGovern "for the Republican Party."

He turned it down, he said, because he was already busy spying on Vietnam Veterans Against the War for the FBI and Miami police.

Pablo Manuel Fernandez, 28, a burly equipment parts clerk who left Cuba as a teenager, said he was told by Martinez:

"You get 10 people and get inside McGovern headquarters in the hotel."

The "big money" mission "to infiltrate the demonstrators" was discussed over lunch a year ago this week, said Fernandez, who makes $800 a month in his clerk's job.

Fernandez said he didn't think he could mix two undercover missions.

Earlier, however, he said, he did accompany the Watergate crew to Washington to break up left-wing demonstrations by starting fights at the funeral of FBI chief J. Edgar Hoover.

FERNANDEZ said he made contact with the VVAW by falsely claiming, on instructions of the Miami Police Department, to represent a militant Cuban exile group called Abdala.

VVAW Florida coordinator Scott Camil and former Miami coordinator Alton Foss asked him where they could buy weapons, Fernandez said. He played them along for months, wearing a hidden transmitter to one meeting and tape recording some of his phone conversations with Camil for the FBI.

The FBI, which had planned to use Fernandez as a surprise witness in the conspiracy case against Camil, Foss and six other VVAW figures, refused to comment Tuesday on his story.

Miami Police Chief Bernard Garmire confirmed that Fernandez supplied information on the VVAW to the department's Strategic Information Unit. But Fernandez wasn't paid anything and, "I don't know if he gave us anything of any great assistance or not," Garmire said.

Fernandez said he volunteered their services. He was just one of them. Eventually, he was asked to stay away from the department."

Camil said he didn't know Fernandez was a police informer until a reporter told him Tuesday.

And it was Fernandez who brought up the subject of weapons, Camil insisted.

"He said they (the Cubans) could make grenade launchers and automatic weapons available to us but we would have to buy them."

ABDALA indeed is an organization with members in Miami, but he lied when he said he was its representative, Fernandez said. In fact, he said, he also was spying on Abdala — for the Cuban Revolutionary Party, of which he was youth director.

Fernandez told his story to this reporter after he and another Miamian, Angel Ferrer, were questioned by State Attorney Richard Gerstein's chief investigator, Martin Pefrer, under sworn testimony, but Gerstein told a press conference later that both men, "if given immunity . . . would have a lot more to say."

Pefrer said he also accompanied the Watergate team to Washington for Hoover's funeral, Gerstein said. Two other Miamians, Reinaldo Pico and Felipe De-Diego, previously had told The Herald they were recruited for that mission last May.

The VVAW figured in the original decision to break into the Democratic National Committee's Watergate headquarters in Washington last spring, James McCord testified Tuesday.

McCord, one of the convicted burglars and former security chief of the Committee for the Reelection of the President, told a nationally televised Senate hearing he wanted to find out whether the Democrats were infiltrating the VVAW as planning

Miami Herald 5/23/73

145



Angel Ferrer
... questioned

President Nixon.

He does not now believe that to be the case, McCord said.

In Gainesville, spokesmen for the VVAW defendants called McCord's statement a "big lie" and charged that the conspiracy case was filed against the veterans "for the purpose of giving credibility to the contrived defense in the Watergate case."

In a separate interview with The Herald, Camil claimed that if Fernandez really recorded their various meetings and conversations, "then this means the Miami Police Department has stuff that can clear us."

Fernandez said he made contact with VVAW on instructions of Ralph Aguirre, a member of the Miami police Strategic Intelligence Unit. Aguirre told him, Fernandez said, that he should go to the office of the Cuban Student Organization on the University of Miami campus.

Camil telephoned there, trying to reach Abdala, and Fernandez returned the call, claiming to represent Abdala.

Camil said Tuesday he placed the call because he heard rumors last spring that "militant Cubans were going to try to break up our demonstrations and I wanted to tell them we weren't anti-Cuban and there wasn't anything to worry about."

Fernandez and the veterans agreed to meet at a Hialeah drug store. Fernandez isn't sure of the date; Camil says it was May 31 or June 1, 1972.

ACCORDING TO Fernandez, Camil asked about buying carbines and Foss "talked about grenades." Fernandez said he did not ask why the veterans wanted the weapons but assumed it was to "scare people at the conventions."

He added: "They weren't peaceful."

Fernandez went to the meeting a wearing a hidden microphone. According to him, it transmitted to a receiver and tape recorder manned at another location by four Miami policemen.

A week after the drug store meeting, Camil, Foss and other VVAW members were indicted by a federal grand jury for conspiracy to disrupt the Miami Beach conventions with firebombs and other weapons.

THE INDICTMENTS were based largely on testimony by William Lemmer, an Arkansas veteran who was working for the FBI as an informer. He was at the meeting with Fernandez, wearing an Army uniform and carrying a gas mask.

Fernandez said he did not then know that Lemmer also was an informer. Nor, he said, did he realize that two other young men who attended VVAW meetings were infiltrators for the Dade County Public Safety Department.

"I almost got in a fight with them. I had no idea they were policemen," he said.

Foss claims that the PSD agents, Gerald Rudoff and Harrison Crenshaw, later tried to set him up to attend another meeting "with Cubans from Abdala" to discuss buying weapons. Foss says he refused to go.

FOSS ADMITS, however, that he himself temporarily acted as an informer while trying to "make a deal" with Frank Gibbons, an agent of the Miami FBI office.

Fernandez said Tuesday he worked for Gibbons in an unpaid capacity, telephoning Camil and recording the conversations at Gibbons' request.

He placed the calls from his own telephone, Fernandez said.

The government has denied that prosecution of the VVAW group is in any way based on electronic eavesdropping.

FERNANDEZ, who left Cuba at age 16 and spent two years in Spain, is divorced, has no children and lives with his parents at 7750 SW 18th Ter.

He knew Bernard Barker even before he went with the Watergate crew to the Hoover funeral, Fernandez said. "Everybody knows Macho Barker."



Pablo Fernandez
... 'declined offer'

(Mount Clipping In Space Below)

Exiles Queried in NAACP Burglary; Link to Ellsberg Break-In Scrutinized

By GENE MILLER
Herald Staff Writer

The Miami Watergate spinoff characters — the Cuban exiles flown to Washington before anyone was caught — are being questioned here about an unexplained burglary of the NAACP Legal Defense Fund, Inc. in New York City.

The burglary there occurred the weekend of Sept. 4-6, one day after Bernard L. Barker, Eugenio Martinez, and Felipe DeDiego were said to have burglarized the Beverly Hills, Calif. office of Daniel Ellsberg's psychiatrist, Dr. Lewis Fielding.

Jack Greenberg, director counsel for the Legal Defense Fund, asked Dade State Attorney Richard E. Gerstein for assistance in investigating the NAACP break-in.

According to testimony before the acquital of Ellsberg in the Pentagon Papers trial, the three Miami burglars flew from Los Angeles to New York after the break-in at Felding's office.

So far no one has established any link between the Ellsberg-NAACP burglaries, Martin Dardis, chief investigator for Gerstein, said Wednesday.

A New York City detective, Vincent Mangiamile, said Wednesday the investigation of the NAACP burglary at 10 Columbus Circle had been re-opened "about two weeks ago."

"Nothing of value was taken," said Mangiamele. He said he had no idea if any files had been photographed.

"That's just what we need, huh?" he said.

In Miami Wednesday Humberto Lopez, a shoe dealer who lives at 2999 West Flagler St., testified before Dardis for 40 minutes.

Dardis said Lopez acknowledged that he had flown to Washington, D.C. in early May, 1971 to disrupt anti-war demonstrations at the funeral rites of J. Edgar Hoover.

"Martinez recruited and paid him two $50 bills," said Dardis. "And they took care of his air fare."



Martin Dardis
... no link yet



Humberto Lopez
... gave testimony

Martinez, as well as Barker, Frank Sturgis, and Virgilio Gonzales were convicted of the Watergate burglary.

On Tuesday, Dardis questioned another hired funeral rite conspirator, Pablo Fernandez. He admitted he was an informant for Miami police and the FBI in the government's case against the Vietnam Veterans Against the War. Both Lopez and Fernandez have denied taking part in the NAACP or Ellsberg burglaries, Dardis said.

On Wednesday Lopez, subpenaed and under oath, identified two other local Cubans who flew to Washington for the funeral rite demonstrations. Dardis said he was trying to locate them. He wouldn't reveal their names.

Lopez, said Dardis, denied that he had taken part in any disruption tactics during the Republican National Convention. He also denied he knew anything about any other political espionage burglaries.

Among those crimes still unsolved was one that occurred during the 1972 Fourth of July weekend. Someone broke into the sixth floor office of the State Attorney's office — and apparently tried to get into Dardis' office.

Miami Herald 5/24/73

147

(Mount Clipping In Space Below)

Sought Link of Castro Aid To Democrats, Barker Says

WASHINGTON — Bernard L. Barker testified Thursday that he led a spy squad into the burglary of Democratic national headquarters because he was told he was working for a secret "national security" organization "above FBI and CIA."

The assignment, Barker said, was to locate and photograph documents proving that the Democrats and Sen. George McGovern were getting contributions from "leftist organizations inclined to violence in the United States" and from Communist Cuba.

No such evidence was found, Barker conceded, but he denied that he was engaged in mere political spying for the Nixon campaign.

"I PERSONALLY was convinced at the time, and I am today, too, that what I did at that time was correct," said the Miami realtor, who is lodged in Cellblock 4, District of Columbia jail, convicted of conspiracy, burglary and bugging.

His "prime motivation" for becoming involved in Watergate, Barker said, was the hope that highly placed government officials would later assist in "a Cuban liberation operation."

Three other Miamians — Eugenio Martinez, Virgilio Gonzales and Frank Sturgis — were convicted with Barker.

Barker, led before the Senate Watergate committee by two U.S. marshals, highlighted a day in which the panel scheduled additional hearings for next month to get back on track after bogging down in side disputes among other witnesses.

The additional hearings will be held June 5, 6 and 7.

BARKER'S testimony added little to the evidence about the Watergate scandals. He was simply taking orders, he said repeatedly, and had no idea who the higher-ups were in the "paramilitary operation," as he called the burglary.

But for two hours and 37 minutes, Barker, his voice cracking with emotion, offered extraordinary insights into the secret world and mind of a trained spy.

Born in Havana of American parents, Barker, who is 56, regarded himself as a patriot of two lands.

"Whether I want to or not, I am a bilingual American-Cuban who is dedicated to the cause of the liberation of Cuba," he said.

"I am part of a team with which I am very proud to be associated," said Barker in a choked voice. "We'll have to live with the word "burglar." But we resent, very emotionally the words that we were hired.

"There was no need to buy our silence. We were not for sale . . . We're just plain people who very truthfully believed that Cuba has a right to live."

It was that dedication, according to Barker, that threw him together more than 12 years ago with E. Howard Hunt, a retired CIA agent who is now a fellow prisoner in the D.C. jail, convicted of the same Watergate crimes.

HUNT WAS the head of the CIA's ill-fated Bay of Pigs invasion. Barker was the second in command.

"Eduardo," said Barker, re-

Miami Herald 5/25/73

ferring to Hunt by his CIA code-name, "represents the liberation of Cuba, the anti-Communist symbol. It represents the government of the United States in one form, in its covert form."

Hunt is still his hero. Barker made it clear. And, judging by their questions, a number of the members of the Senate committee suspected Barker might be covering up for his old comrade in arms.

Convicted Watergate conspirator James McCord Jr., another former CIA man, has testified that he and the other defendants, including Barker, were under intense political pressure to plead guilty at their trial and remain silent.

McCORD described Barker and his team of three Miami Cubans as "emotionally overwrought" at the pressure, which he said came from Hunt. McCord quoted Barker as saying Hunt had offered money and eventual executive clemency in return for guilty pleas.

Barker, however, denied that Hunt had pressured him to plead guilty or offered executive clemency. He sidestepped questions about whether his CIA-instilled "discipline" would allow him to tell even if Hunt had exerted such pressure.

Sen. Daniel Inouye (D., Hawaii) asked Barker: "An important part of the discipline and procedure of covert operators would be silence, isn't that what you told us?"

Barker replied, "That is correct, yes, sir. Silence is part of the very nature of a covert operation. When you are captured by the enemy, you don't talk."

INOUYE asked later, "Would I be correct to assume that, under those circumstances, you would never implicate Mr. Hunt, and you would forever keep silent?"

"This is a hypothetical question," Barker said.

But Barker did concede that Hunt's wife had given him as much as $47,000 after the Watergate arrests for bail, legal fees and "expenses."

McCord has alleged that the cash came from the Committee for the Reelection of the President and was intended as "hush money."

But Barker claimed there were "absolutely no conditions" attached to the payments.

THE MONEY, Barker said, "was received in the same spirit and under the same conditions that would have been similar in a CIA operation.

"Comparatively, it is based on the following philosophy: If you are caught by the enemy, every effort will be made to retrieve you. All expenses will be taken care of, and your family will be provided for."

Therefore, Barker continued, he and his companions, all of them with CIA backgrounds, were not surprised when the payments began.

But he acknowledged a nagging worry about the entire situation. "There was a doubt in my mind at that time to the effect of, 'What did it mean? What did national security mean, as above FBI or CIA?' And that question has still not been solved in my mind."

As Barker related it, his involvement in what was to grow into the Watergate scandal began on the 10th anniversary of the Bay of Pigs, April 17, 1971, when he found a note from Hunt pinned on his door.

"IF YOU ARE the same Barker I once knew, contact me," Barker said the note read. It was signed "Howard."

Hunt, according to Barker, was in Miami under an assumed name to attend a Bay of Pigs anniversary celebration. Still a willing and faithful soldier, even after 10 years, Barker said he immediately telephoned Hunt at his Miami Beach hotel.

"We kept in contact after that without anything special being brought up," he said. "I quite frankly waited until Mr. Hunt would tell me if there was any other reason other than social reasons — in the hierarchy, remember that he was my boss — and I expected him in his good time to tell me if there was anything else, and eventually he did."

The first assignment turned out to be the burglary of the office of a Los Angeles psychiatrist who was treating Pentagon papers defendant Daniel Ellsberg.

Barker recalled that Hunt asked, "Would I be willing to help him in a matter of national security?"

ACTING on Hunt's instructions, Barker related, he recruited two other members of Miami's Cuban exile colony for the Ellsberg burglary — Martinez, who "had in his record over 300 infiltrations into Castro Communist Cuba," and Felipe DeDiego, a former member of "Operation 40, which had been specially trained to capture documents of the Castro government."

The three flew to Los Angeles in early September 1971 and were told only 30 minutes before the "Ellsberg surreptitious entry" what their target would be.

They never located the file they were looking for, however, Barker said. "The only thing that I found in connection with him (Ellsberg) was an address book which had his name. This we photographed, and we also photographed the file cabinet to prove that we had forced them open, and then we left."

From the Ellsberg incident, other assignments naturally followed, Barker said. He and a group of 10 Cubans attended the funeral of J. Edgar Hoover in Washington in May 1972, to "infiltrate" a group of anti-war demonstrators, including Ellsberg.

Then there were four attempts to enter the Democratic national headquarters, two of which were successful, the last ending in the arrests and began the scandal.

MCCORD has said Barker and the other Miamians may have been misled by Hunt into believing the Watergate affair was a CIA operation. Asked Thursday if he thought it was, Barker replied:

"In the first operation in which I was involved, I was told — I'm speaking of the Ellsberg operation — that it was a matter of national security, of high sensitivity, that it involved a traitor to this country who had given information to a foreign embassy, he or his associates

"Since then, I have been told nothing different of any other operation.

"It was explained at that particular time and place that national security was above FBI and CIA."

President Nixon Tuesday, in his latest statement on Watergate, acknowledged that Hunt was a member of a "special investigations unit" set up in the White House after Ellsberg leaked the Pentagon papers, a secret study of the Vietnam war, to the press.

The special unit was created, Nixon said, some time after he approved a never-implemented intelligence program that included authorization for "surreptitious entry — breaking and entering, in effect . . . in specified situations related to national security."

Nixon said, however, that he had no knowledge of the Ellsberg burglary.

BARKER SAID that, beyond Hunt and convicted conspirator G. Gordon Liddy, whom he knew only as "George Leonard," he had no idea who his "backers" were.

"Who did you think your backers were?" asked Sen. Herman Talmadge (D., Ga.)

"Sir, I was not there to think," said Barker, sparking laughter in the packed Senate Caucus Room. "I was there to follow orders, not to think."

Barker added that he was "working for Mr. Hunt at those things that Mr. Hunt represents."

Following Barker on the stand was Alfred C. Baldwin III, an ex-FBI agent who monitored the tapped tel

phone lines from Democratic headquarters. Baldwin repeated what he had said at the January trial — how he had watched helplessly from a Howard Johnson's motel room across the street as police moved in to arrest the spy squad at the Watergate.

BALDWIN, who cooperated with the government and has not been prosecuted, said he, too, never questioned the legality of the Watergate operation.

At the morning session of Thursday's hearing, McCord's former attorney, Gerald Alch, challenged McCord to a lie detector test to see which one has been telling the truth to the Watergate committee.

The challenge by Alch, the first witness to seriously question McCord's credibility, prompted an open split between the committee's dominant members, North Carolina Sen. Sam Ervin, a Democrat, and Sen. Howard Baker, the Tennessee Republican.

(Mount Clipping in Space Below)

Informant Told Miami Policeman Of Pre-Watergate Operations

By ROB ELDER
Herald Staff Writer

An informant told the Miami Police Department about the involvement of Miami Cubans in clandestine political activity in Washington before the June 17 Watergate burglary.

But the policeman who received the tip says he didn't pass it on to his superiors or to the FBI because he felt it was "vague" and "could be classified as a rumor.",

Police officer Rafael Aguirre confirmed in an interview with The Herald that the informant, Pablo Fernandez, told him he had gone to Washington on May 4, 1972, for the funeral of J. Edgar Hoover, and he had clashed with anti-administration demonstrators.

The Herald quoted Fernandez Wednesday as saying his boss on that mission was Miami real-estate broker Bernard Barker.

BARKER and five other Miamians returned to Washington May 27 and bugged the Democratic National Committee in the Watergate complex. When Barker and three members of the group again broke into the Watergate June 17, they and James McCord, security director of the Nixon campaign, were caught and the Watergate scandal was born.

It was before the June 17 arrests, the Miami officer says, that Fernandez, who was working as a paid police informer, "mentioned he was going to take a second trip to Washington."

Aguirre, whose police job was to gather intelligence relating to the national political conventions, says Fernandez did not say why he had been asked to go back to Washington.

"He cloaked this trip with secrecy."

Fernandez previously told The Herald he knew nothing of the return trips. According to Aguirre, Fernandez said he knew about them but might not be able to go "because he was on probation . . . he killed a man."

(IN 1967, when he was a 22-year-old security guard for the Saxony Hotel on Miami Beach, Fernandez shot a fellow hotel employe in a dark room. The man died; Fernandez said it was an accident. A second-degree murder charge was reduced to manslaughter, and, on Dec. 2, 1970, Fernandez was sentenced to seven years probation).

Fernandez, now a heavy-equipment stock clerk in Miami, did not return to Washington with the group that would become known as the Watergate burglars.

Aguirre, the policeman whom Fernandez had been working for since December 1971, says Fernandez never mentioned Barker's name to him.

But a former member of the Metro Community Relations Board says Fernandez talked to him during the same period about Barker and his efforts to recruit Miami Cubans for clandestine work.

Ironically, this man has the same last name as the



Pablo Fernandez
. . . told of violence

policeman with whom Fernandez was talking — Aguirre.

NOW A graduate student in Columbus, Ohio, Ben Aguirre worked for the CRB in Miami during the spring of 1972. He and the policeman, Raphael Aguirre, say they are neither related nor acquainted.

In his work for the CRB, Ben Aguirre told The Herald in an interview last week, he met Pablo Fernandez. On June 16 — the day before the abortive Watergate burglary — Fernandez came to him with "some very dangerous information which could have cost him his head and could have cost me mine . . .

"He had information in regard to Mr. Barker and Mr. Martinez (Eugenio R. Martinez another of the convicted burglars) . . .

"In essence, he was telling me Mr. Barker and Mr. Martinez were hiring groups

Miami Herald 5/27/73

of men who were to be attached to certain Democratic candidates to hassle the candidates . . . Barker had offered him money to hassle the candidates."

Fernandez did not specifically mention the bugging or burglary of the Watergate offices, Aguirre says. "I do not think he knew about it."

FERNANDEZ told The Herald he wasn't recruited for that mission, but was offerred $700 a week by Martinez to embarrass Democratic presidential candidate George McGovern "for the Republican Party." Fernandez, who makes $800 a month in his regular job, said he turned down the offer because he already was spying on Vietnam Veterans Against the War for the police and the FBI.

The police say they paid Fernandez only sporadically, $10 or $15 at a time. The FBI refuses to say anything about him.

The police maintain that they did not take Fernandez seriously while at the same time confirming that they used him as an informer to gather evidence against the VVAW.

On Saturday, The Herald reported Fernandez's spy role against the VVAW, and the police confirmation that "Pablo's involvement with the VVAW was with our knowledge and approval."

But, in the same interviews, police officials said they discredited the information Fernandez brought them and finally got rid of him:

"He was told to stay away from the station . . . he was told, 'Don't call us, we'll call you'" said Police Chief Bernard Garmire.

ALTHOUGH Fernandez had been visiting regular police headquarters since Dec. 21, 1971, Garmire said he had no knowledge of the informer's work at the time.

"I never heard the name Pablo Fernandez until we received the call (from The Herald last Wednesday)," the chief said.

With a Herald reporter present, Garmire questioned his policeman, Aguirre:

Q — At any time did Fernandez tell you he was working for Barker?

A. — No, sir.

Q. — Did he at any time tell you anything concerning the activities of a guy by the name of Barker?

A. — No, sir.

Q. — Did anyone else tell you . . .?

A. — No, sir.

Q. Did anyone ever tell you anything about a group of people involving Miamians intent upon conducting the burglary of Watergate?

A. — No, sir.

But, when questioned by the reporter, Aguirre confirmed that Fernandez told him of the trip to the Hoover funeral and the disruption of demonstrations there — and the plans for a return trip to Washington on an specified mission.

At that point the questioning took this form:

Q. — Did you pass that information on to anybody?

A. — I can't recall whether I did or not . . . as a matter of fact, I don't think I did.

Q. — Did you think it was important?

A. — It was very vague . . . he didn't go into detail. This type of information could be classified as a rumor.

(Mount Clipping In Space Below)

Cache Suspect Is Identified As Son of Watergate Figure

By FRANK GREVE
Herald Staff Writer

A Hialeah man arrested last week with an arms cache was identified Monday as the son of an anti-Castro exile with Watergate connections.

Humberto Lopez, 32, of 460 W. 42nd Pl., was also said to have been involved in guerrilla activities that followed Castro's takeover, and briefly, in the Golden Falcons, a skydiving club composed largely of ex-paratroopers and connected to the exile Committee For Liberation.

HE IS the son of Humberto Lopez Sr., of 2999 Flagler St., who has admitted to disrupting anti-war demonstrations in Washington at the May 1971 funeral of FBI chief J. Edgar Hoover. The elder Lopez, who paid $100 and air fare for his role in the disruption, was recruited by Eugenio Martinez, according to Martin Dardis, chief investigator for Dade State Attorney Richard Gerstein. Martinez is a convicted Watergate burglar.

Hialeah firemen discovered the arms cache at the younger Lopez' rented one-story cinderblock and stucco home Friday while putting out a fire in a utility room behind the garage.

THE CACHE included four hand grenades, a 60mm mortar, two M14 rifles, a silencer-equipped .45-caliber M314 submachinegun, a 50mm cannon, a 60mm cannon and four cases of ammunition.

Except for the M14 rifles, which were packed in cosmolene grease, the other weapons were operational, Hialeah Det. Richard Kelly said.

Miami Herald
7/3/73

(Mount Clipping in Space Below)

Gave It to Families of Four'

Miamian Says He Got Coverup Funds

By ROB ELDER
Herald Staff Writer

Three plain white envelopes — each crammed with $3,000 in $100 bills — were mailed last February to a Miamian who distributed the money to the families of the Watergate burglars, State Attorney Richard Gerstein's office has learned.

Two of the envelopes bore insufficient postage. A fourth envelope, also containing 30 $100 bills, apparently was lost or stolen in the mail.

SOURCES close to Gerstein's investigation said it has been confirmed in Washington that the money was mailed from there by Frederick C. LaRue, a former White House aide who last month pleaded guilty to obstructing justice in the Watergate coverup.

Manuel F. Artime, a Miami businessman and Bay of Pigs veteran, reportedly has confirmed that he found the money in his mailbox — and that on another occasion he was handed an additional $12,000 in cash by E. Howard Hunt Jr., the White House assistant and former CIA agent who has been convicted in the Watergate case.

Sources close to the case say Artime has confirmed that he received $21,000 in all. He reportedly used some of it to pay legal fees for the Miamians arrested in the Watergate burglary and distributed the rest of the cash to the families of the four burglars.

The Miamians are Bernard Barker, Eugenio Martinez, Frank Sturgis and Virgilio Gonzales. All are now in prison.

Jan (Mrs. Frank) Sturgis came to the door of her house at 2515 NW 122nd St., opened the door partway and told a reporter: "Don't believe what you read in the paper." She refused to

Turn to Page 15A Col. 1

Miami Herald 7/10/73

154

discuss it further, firmly closing the door.

Jean Martinez, the divorced wife of Eugenio Martinez, was walking her dogs on Arthur Godfrey Road, Miami Beach. She had not heard that Artime had said he distributed money among the Watergate families.

She said: "If there is such money, I haven't got a penny. Whatever I've got, the little bit is money I've earned myself."

In an effort to explain how little that was, she said that her doctor had recommended that she undergo surgery, but she coulnd't afford it at this point.

Mrs. Martinez said she knew Artime and thought he was a patriotic man who had spent time in prison in Cuba. She spoke of her dislike of the Barkers, whom she knew and of Howard Hunt, whom she said she had never met. She felt that they were "deceitful people" who had misled her husband.

IN ANSWER TO the report that $500 had gone to Martinez' girlfriend, she said she didn't know who that could be "and if he has a girlfriend, good luck to him."

Mrs. Yolando Toscano, daughter of Martinez, said she had not received any money, nor did she expect to get any.

"I have absolutely no contact with those people, so I didn't get any money," Mrs. Toscano said.

Mrs. Celia Gonzales, wife of Virgilio Gonzales, refused to even talk to a reporter, waving her hand from her front porch seat and repeating "No, no, no."

GERSTEIN was asked Monday whether, on the basis of the facts uncovered so far, he considers the payments to be "hush money" intended to keep the Miamians from talking and implicating higherups in the case.

"You can draw obvious conclusions," Gerstein said.

Martin Dardis, Gerstein's chief investigator, said it still isn't known who instructed LaRue to mail the money to Miami.

"We don't know who gave it (the money) to LaRue," Dardis said. It has not been possible to trace the $100 bills, because no one recorded their serial numbers, he said.

ARTIME is understood to have told investigators there was an elaborate advance plan, complete with secret codes, for the transfer of the money from Washington to Miami. But after the death of Hunt's wife, Mrs. Dorothy Hunt, the plan was apparently abandoned and the money was passed in a haphazard manner, investigators have learned.

Mrs. Hunt was killed last December in the crash of a United Airlines jet in Chicago. Her purse, recovered from the wreckage, contained more than $10,000 in cash.

It has been learned that according to Artime, Mrs. Hunt took the first steps to arrange for the transfer of money to Miami. Artime told investigators she visited his home in Miami before her death and told him money would be supplied for the Miami Cubans and their families.

Later, Artime has said, he saw Hunt in Washington and Hunt handed him an envelope containing $12,000 in cash, some of it in $100 bills and some in $50 bills. According to Artime, Hunt never told him where the money came from.

BUT ARTIME is understood to have quoted Hunt as saying there would be more money later, and it would come from someone who would identify himself as a friend of Artime's brother. This was to be a code, but it was never used, Artime told investigators. Instead, without any advance notice or any indication of where it was coming from, the money arrived in the mail.

It has never been determined what happened to $3,000 of the money. Artime has confirmed receiving $9,000 in the mail, and from an independent source, Gerstein's office has been told that LaRue mailed $12,000. The missing money was mailed in a plain envelope which, like all the others, carried no return address.

LaRue, who reportedly mailed the money, is a Jackson, Miss., businessman who became a millionaire dealing in oil and real estate.

(Mount Clipping In Space Below)

Watergate-Payment Informants Plan To Sue Gerstein for Releasing Facts

By DOUG CLIFTON
Herald Staff Writer

Five persons who told State Attorney Richard Gerstein about mysterious payments made to the families of the four Miami Watergate burglars said Saturday they plan to sue Gerstein for releasing the information to the press.

The five include Mrs. Bernard Barker, Mrs. Virgilio Gonzales, Mrs. Frank Sturgis, Miss Sylvia Campos, fiancee of Eugenio Martinez, and Manuel Artime, the businessman who said he distributed $21,000 to the four families.

All are represented by Miami Beach attorney Ellis Rubin who got an injunction against Gerstein last month to prevent him from releasing testimony about Pablo Fernandez, a government witness against the Vietnam Veterans Against the War.

RUBIN CHARGED that Gerstein's release of testimony given by Artime and the four women violated the spirit of the Fernandez injunction.

Gerstein, in New York at a prosecutors' seminar hosted by the Practicing Law Institute, was not available for comment.

Rubin claimed that Gerstein's release of the testimony given by the five in sworn testimony violates their right to privacy and could prejudice the rights of the four convicted burglars.

Artime had told Gerstein he received $12,000 early this year from convicted Watergate conspirator Howard Hunt. He said he later got a total of $9,000 in the mail in three plain white envelopes, two of which bore insufficient postage.

Artime said the money was distributed to the women and one of the convicted burglar's attorneys. The four women subsequently gave Gerstein sworn testimony confirming that they received the amounts Artime said he'd given them.

Rubin said he will ask $250,000 in damages for each of his clients in a Federal Court suit. He will also seek an injunction against Gerstein to prevent further leaks of sworn testimony, he said.

Miami Herald 7/15/73

154 #

(Mount Clipping In Space Below)

Miamian Got Retainer From CIA, Helms Says

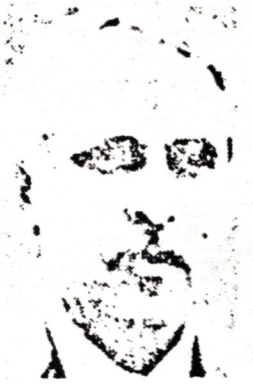
By DOUG CLIFTON
Herald Staff Writer

Eugenio Martinez, one of the Miamians arrested in the Watergate burglary, was on a $100-a-month retainer from the CIA at the time of the break-in, the agency's former director told the Senate Watergate committee Thursday.

"But that dosen't mean the agency was involved," added Richard Helms.

Under examination by minority counsel Fred Thompson, Helms admitted that the CIA had employed the 49-year-old Cuban-American because of his connections in Miami's Cuban community.

MARTINEZ, arrested in the Watergate on June 17, was known to have worked for the intelligence agency during the Bay of Pigs invasion, along with Bernard Barker, another Miami Cuban arrested in the complex.



Eugenio Martinez
... worked with exiles

At another point in his career Martinez worked for the agency arranging for the escape of exiles from Cuba.

Helms also confirmed what had been long known in Miami — that both Barker and Frank Fiorini-Sturgis, a third Miamian arrested, were once employed by the agency.

Helms told the committee the CIA background of each of the Watergate burglars but needed prompting on the names of the Cubans.

THOMPSON: Do you know which. . .Cubans?

HELMS: Do you mind giving me the names. . .?

THOMPSON: Would it be Bernard L. Barker. . .?

HELMS: Barker I think had a relationship back in the early 60s. . .Is Frank Sturgis another individual?

THOMPSON: Yes.

HELMS: I think he at one time had been. Eugenio Martinez had been on a sort of retainer to report on individuals who came in from Cuba as to whether they would be worth interrogating . . . and he had been on that retainer of about $100 a month on the understanding that he would report in from time to time when he had something to report.

When I found out he was still on the — had this connection with the agency at the time of the break-in — he was cut off.

THOMPSON: When was he cut off?

HELMS: Right after we discovered that he was involved in the break-in.

Until his arrest in the Watergate complex on June 17, 1972, Martinez had been employed as a salesman in Barker's real estate agency.

After the break-in federal agents discovered a daily diary in Martinez' car at Miami International Airport, leading to speculation that the CIA — or at least a CIA case officer — may have been monitoring the activities of the Watergate team.

Miami Herald 8/3/73

Ellsberg Case

Ex-CIA Aide: Rewrote Memo On Ehrlichman

From Herald Wire Services

WASHINGTON — Former Deputy CIA Director Robert E. Cushman Jr. testified Thursday that a telephone call from John Ehrlichman in January caused him to rewrite a memo that had indirectly linked the key White House aide to the 1971 break-in at the office of Pentagon papers defendant Daniel Ellsberg's psychiatrist.



Gen. Cushman
... testifying

Cushman said that in the second version of the memo he omitted Ehrlichman's name as the one who sent E. Howard Hunt to the CIA for equipment believed used in connection with the Ellsberg burglary.

Cushman told the Senate Watergate committee that in May he learned from a transcript of a tape-recording that it actually was Ehrlichman who had made the call on Hunt's behalf in 1971.

Cushman and former CIA Director Richard Helms appeared before the committee as its 27th and 28th witnesses in its Watergate investigation. Helms now is ambassador to Iran and Cushman, who wore the full dress of a four-star general, is commandant of the Marine Corps.

CUSHMAN EMPHATICALLY denied any CIA role in Watergate. He said that 10 days after the break-in, then White House counsel John Dean suggested that the agency post bail for the suspects and pay their salaries while they were in jail.

Both men were questioned about Hunt's obtaining of false identifications, a tape-recorder, a speech-altering device and a wig shortly after he joined the White House staff — and shortly before the Labor Day 1971 break-in at the psychiatrist's office in Los Angeles.

Ehrlichman, in his testimony before the committee, acknowledged having a role in setting up the White House plumbers unit to plug security leaks in 1971, but denied he authorized or had any prior knowledge of the Ellsberg break-in.

Cushman testified that he secretly taped the conversation with Hunt — one of a "half-dozen" he said he recorded dur-

Miami Herald
8/3/73

they meet alone.

A TRANSCRIPT of the July 22, 1971, meeting showed that Hunt told Cushman he (Hunt) had been "charged with a highly sensitive mission by the White House," and that speed was of the essence.

Then this exchange took place, according to the transcript:

Hunt: "Well, Ehrlichman said that you were the . . ."

Cushman: "Yes, he called me. I mean I haven't been in the cover business, so I don't know if they operate real fast, but I suppose they do."

Hunt said he would need a driver's license, "some pocket litter" identification and a first-name alias of "Edward," among other things.

Cushman testified that William Colby, confirmed Wednesday as CIA director, asked him in December to summarize the CIA contacts with Hunt. Cushman said he recalled that Ehrlichman had phoned him before Hunt's visit to say that Hunt would be making the request for materials.

"So I prepared the first memorandum, in which I said Mr. Ehrlichman, Mr. (Charles W.) Colson, or perhaps Mr. Dean — I simply cannot recall at this late date which one it is — of my own knowledge.

"I THEN got a call, as I remember, from John Ehrlichman, saying, 'Look, I can't recall this phone call prior to the 22nd of July, and in fact, my records show I was out of town for a considerable length of time.'

"This shook up my recollection even worse, so I offered, without being asked, I offered to take the names out of it, since I didn't think it would be fair, when I couldn't swear to it."

He said Dean also telephoned to deny sending Hunt over.

Cushman said Ehrlichman "didn't ask me to tear it (the first memo) up. In fact, I guess he kept the original, as far as I know. But I tore up the copy . . ."

CUSHMAN and Helms both completed their testimony Thursday, and Lt. Gen. Vernon A. Walters, the deputy CIA director, is to testify today.

During his testimony regarding the suggestion by Dean that the CIA help the bugging suspects, Helms said that Walters rejected Dean's "feeler" on Helms' orders and cautioned that any such expenditure would have to be reported to Congress.

"This obviously cooled Mr. Dean's ardor," Helms, 60, now ambassador to Iran told the Senate committee.

He said he encouraged Walters to stand firm against any White House attempt to involve the CIA in the June 17, 1972, break-in at Democratic headquarters. "You hang in there. You're doing fine, but don't yield an inch," Helms said he told his deputy.

SLAPPING the felt-covered witness table and raising his voice in emphasis, Helms said: ". . . The CIA had no involvement with the break-in. No involvement whatever. And it was my preoccupation consistently, from then to this time, to make this point and to be sure everybody understands it. It doesn't seem to get across very well for some reason. But the agency had nothing to do with the Watergate break-in. I hope all the newspapermen in the room hear me clearly now."

Helms testified he was appointed ambassador in March after President Nixon told him he "wanted a change" at CIA. He had been with the agency since it was established in 1947 and had been director for six years.

Relaxed, laughing often, but chain-smoking, Helms said that his preoccupation in the months following the June 17, 1972, break-in of Democratic Party headquarters "was to keep the agency at a distance from all these problems."

He said he did not tell Nixon of the pressure being put on him because "since we stood firm, it seemed to me to be adequate under the circumstances."

SIX OF THE seven men convicted of conspiracy, wiretapping and burglary in the Watergate break-in had former ties to the CIA — this nation's spying organization in other countries. Helms said one of the men, Eugenio R. Martinez, of Miami had been on a retainer at the time of the break-in.

Martinez's job, Helms said, was "to report on individuals who came in from Cuba as to whether they would be worth interrogating or interviewing or not in Florida and he had been on that retainer of about $100 a month on the understanding he would report in from time to time."

"When I found out that he was still on the — had this connection with the agency at the time of this break-in — he was cut off."

"When was he taken off retainer by the CIA?" Helms was asked.

"When it was ascertained that he was involved in the break-in, he was taken off right then . . . I imagine within 24 hours or 48 hours or 72 hours after the break-in," he replied.

Helms said that in July 1971 he was informed that Hunt, a long-time former CIA employe, had been hired by the White House as a consultant, but didn't know the circumstances.

HE SAID he learned from Cushman that Cushman ordered Hunt be given a tape recorder and camera for a "one-time interview and that he had been properly authenticated by the White House and that he was working at their behest."

Later, he said he was told Hunt asked to have a secretary stationed with the CIA in Paris brought back and assigned to him.

"It seemed to me the agency was being used," Helms said. "I got ahold of Gen. Cushman and told him that I thought this was totally unacceptable and I wouldn't stand for it."

Helms said he learned only in May, when it came out at Daniel Ellsberg's Pentagon papers trial in Los Angeles, that Hunt was involved in the burglary of Ellsberg's psychiatrist, Dr. Lewis Fielding.

Helms took the blame for agreeing, at the request of one of the White House plumbers' bosses — David Young — to have the CIA prepare a "psychological profile" on Ellsberg.

"HE PLED with me," Helms said of Young. "We were the only ones they knew in town that did things of this kind, had practice in doing them and please would we do so."

Young rejected a first profile, a second was prepared, and also turned down, he said. The Fielding office burglary followed.

Asked why he agreed to have the profile prepared, Helms said:

"Well, it was a high-level White House official asking for this help and it didn't seem like it would do any harm."

Then he added: "I'm not proud of that one. On Monday a lot of football games are played again."

"Did it ever occur to anybody to go to the President of the United States and advise him of these very unusual things that were going on?" Helms was asked.

He replied: "My preoccupation during these months was to keep the agency at a distance. When I saw these feelers being made, it was suppository, 'Do you suppose these things could be done?' "

SEN. Howard H. Baker Jr. (R., Tenn.), and minority counsel Fred Thompson emphasized in their questioning whether there might indeed have been enough indications of possible CIA involvement in Watergate to arouse legitimate White House concern that agency operations would be unmasked by the FBI's investigations. Helms rejected suggestions from Baker that he should have conducted a more thorough in-house investigation of CIA links to the burglary.

"I thought that was the FBI's job," Helms replied.

"So did the White House," said Baker.

"Wasn't it the FBI's job?"

"I have a hunch," said the senator, "I would have jumped up and down and screamed until I found out what happened."

Helms said, "I have no doubt that you would have. At the time these men were arrested, it did not seem to me to be the proper thing."

THE AMBASSADOR said he gave the FBI all the information the agency had about the men in the Watergate break-in, but didn't question the men.

The five men arrested inside Watergate included James W. McCord Jr., a 19-year employe of the CIA. The other four were Martinez, Bernard L. Barker, Virgilio Gonzalez, all Cuban-Americans, and Frank Sturgis. The four, from Miami, all had been involved in the Bay of Pigs operation in 1961.

G. Gordon Liddy, the seventh man convicted in the case — and by all accounts the mastermind of the break-in — had no prior connection with the CIA.

Helms said McCord had had no responsibility in the CIA that dealt with breaking into offices.

T 5-350 (Rev. 7-16-63)

(Mount Clipping In Space Below)

Miami 4 Spurn Lawyer's Offer At Prison Gate

By ROBERTO FABRICIO
Herald Staff Writer

DANBURY, Conn. — After a well-publicized 1,380-mile journey to prison gates here, Miami attorney Ellis Rubin announced Saturday he was "pretty sure" the four Watergate burglars from Miami want to change their pleas to not guilty and go to trial.

He didn't see his clients personally. He talked to them by telephone. They informed him that they didn't want to see him.

Standing before network television cameras summoned for a press conference, Rubin said he had planned to announce a $1-billion lawsuit against the Committee to Reelect the President and onetime White House aides Jeb Magruder, John Dean, Frederick LaRue and Gordon Strachan.

But at the request of his clients, Rubin said, "I have now decided to wait for Sen. Weicker to act."

THE REPUBLICAN senator from Connecticut, Lowell Weicker Jr., met with the convicted Miamians for 5½ hours last Monday. Weicker is a member of the Senate Watergate committee.

The presumption is that they told him everything they knew about clandestine political activities in the hope that U.S. District Court Judge John Sirica will reduce their 40-year "provisional" sentences when they go before him again on Sept. 21 for final sentencing.

The "Miami 4," disenchanted at "being abandoned," are inmates here at the Danbury Federal Correction Facility. They are Bernard L. Barker, Frank

According to Rubin, "they thought they were working for the U.S. government" when seized inside the Democratic National Headquarters June 17, 1972.

"AT LEAST three of the men had done such work 100 times before on dangerous missions for the CIA — on which they were never arrested," Rubin declared.

The Rubin press conference, held before the stone entrance gate to the prison, lasted about 30 minutes. The prison's security chief, Victor Slodysko, approached Rubin before he began.

"I didn't expect you to show up at all," Slodysko said.

A reporter asked why. "There were rumors that Mr. Rubin would not show up,

Turn to Page 34A, Col. 1

Miami Herald
8/22/73

161

Jailed Miamians Spurn Rubin Offer

[redacted]

that's all," said the security chief.

RUBIN FLEW to New York Friday with Manuel Artime, once known as "the golden boy of CIA." Rubin represents him. Artime testified last week before the Watergate grand jury. He said White House aide E. Howard Hunt had tried to recruit him and other Cuban exiles for a clandestine mission to Panama, The Herald learned.

Artime went on to Danbury a week ago Saturday.

"They were desperate and I told them about Rubin and the idea of filing a lawsuit against the committee and they told me great, let's get out of here, everybody else has forgotten us," Artime said.

Barker's wife, Clara also flew to New York Friday, checking into the Americana Hotel in New York City.

It was about 4:30 p.m. Friday that Barker's daughter, Maria Elana Muffet, of Alexandria, Va., telephoned the Americana.

THE DAUGHTER originally had contacted Sen. Weicker.

A source close to the four said that Weicker would drop out of the case unless the lawsuit was dropped.

A Herald source quoted the daughter: "The senator had promised to release my father in three weeks, but he doesn't want any publicity."

Harriman, reached in Washington Saturday, said the statement was "absolutely not true." He said he didn't know anything about a lawsuit.

"There was no pressure from me," he said.

ed Harriman after the call from Barker's daughter.

"When I reached him he was non-commital," Rubin said. "I think he was taping the whole conversation. He was merely asking me to hold off on visiting the men and hold off on the press conference.

'He told me, 'Mr. Rubin, you can do whatever you please, but if you hold that press conference, the senator may not be able to do anything about the Miami Cubans. It is really in your hands.'

"I told him, 'Then you are asking me to lie and cover up because you have a plan that you are not willing to tell me about and you are not even willing to let the senator talk to me,' " Rubin said.

"I have never in my life been under so much pressure," Rubin said.

RUBIN TALKED to his clients at Danbury by telephone twice. "They wanted me to hold off until Weicker does something," Rubin said. He quoted Barker " 'Weicker has promised to help.' "

Harriman, the senator's aide, Saturday said, "I am not sure anything can be done to affect their incarceration." Weicker himself was not available for comment.

Rubin said that Sturgis definitely wants to change his guilty plea and stand trial. "I am recommending that the other three change their pleas and I am pretty sure that they are ready to do it," Rubin added.

To the gathered press, he said, "I am sure they would be found not guilty by a jury."

Rubin entered the case last week when the wives of the inmates formally retained him. He joined the current lawyer, Daniel Schultz, of Washington, as co-counsel.

11-3

FD-350 (Rev. 7-16-63)

(Mount Clipping in Space Below)

Weicker Won't Discuss His Talk With Miami 4

Sen Lowell P. Weicker (R., Conn.) will not discuss his six-hour-long talk with the four Miami Watergate burglars in the Danbury, Conn., Federal Correction Institute until the Senate reconvenes Sept. 7, his office announced Tuesday.

"The senator will not make a statement about his discussion with the four men until the middle of September when the Senate reconvenes and (when) the (Watergate) committee will be in session once more," a spokesman said.

"As a matter of fact he (Weicker) has not even decided what to do with the information at this point," an aide said. "He will have to evaluate what he has until he goes back to work."

Weicker met Aug. 13 with Bernard Barker, Eugenio [illegible], Frank Sturgis and Virgilio Gonzalez. Later that week his office said he "might have something to say" about the meeting this week.

Miami Herald
8/22/73

FD-350 (Rev. 7-16-63)

(Mount Clipping in Space Below)

Watergate Families Seek Funds

A massive fund-raising campaign to help the four Watergate defendants from Miami pay their legal fees and to aid their families has been started by friends of the four men in the Miami Cuban community.

Carlos Perdomo, treasurer of the Miami Watergate Defendants Relief Fund said that the four men owe Washington Attorney Daniel Schultz $22,000 so far and about $10,000 in other expenses since January.

Perdomo, Reinaldo Vergara, secretary of the fund, and former Bay of Pigs Chief Manuel Artime organized a dinner Thursday night at which Schultz talked to about 65 Cuban friends of the four men about his defense strategy.

OCT 7 1973

Perdomo said his group is trying to make contact with several Cuban artists in Miami and New York to have a benefit performance at Dade County Auditorium to collect funds for the men.

A dinner also has been suggested in which several hundred of the men's friends would contribute a per plate fee.

3 B

In his speech Thursday night, Schultz said that if the men's friends do not help them at this "crucial" point in their defense they might remain in jail, "while the planners of the whole affair walk freely around."

The four Miami defendants, Bernard Barker, Frank Sturgis, Virgilio Gonzales and Eugenio Martinez pleaded guilty to the break-in at the Watergate last year and recently changed their plea to not guilty.

Miami Herald
10/7/73

164

(Mount Clipping In Space Below)

Uncertainty Ends for Watergate Wives

'Worst Part Was Not Knowing'

By EDNA BUCHANAN
and PHIL GAILEY
Herald Staff Writers

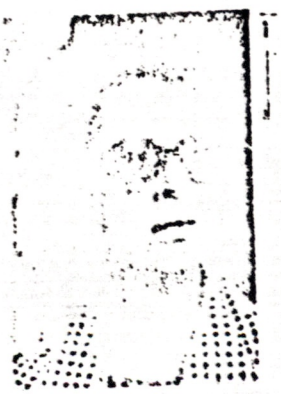
"It's over now and that's all that matters. He's coming home!" Jan Sturgis sang out Friday.

"The worst part of this past year has been not knowing," she said, beaming behind a cluttered desk at her job.

For her and the other wives of the Watergate conspirators, the waiting and tortuous uncertainty is nearly over.



Jan Sturgis
... 'over now'



Clara Barker
... 'disappointed'

THEIR MEN, who had faced possible 40-year terms for the break-in and bugging of Democratic National Headquarters at the Watergate apartments in Washington, D.C., were sentenced Friday — to shorter terms.

Federal Court Judge John J. Sirica sentenced three of the four men, who pleaded guilty nine months ago when prosecutors still insisted that the political spying reached no higher, to one to four years — making them eligible for parole in a matter of weeks.

Frank Sturgis, Virgilio Gonzalez and Eugenio R. Martinez may be home in Miami by Christmas if they are lucky enough to win parole as soon as they are eligible.

Miami Herald
11/10/73



Celie Gonzalez
. . . 'extremely happy'

The fourth defendant, Bernard L. Barker, ringleader of the group, was sentenced to 18 months. He must serve another six months before applying for parole.

"I THINK the judge was very hard with him. I actually thought he was going to show some mercy and let my husband spend his last years with his family.

"I am very disappointed."

Barker's wife of 20 years and their daughter, Maria Elena Moffett, of Alexandria, Va., sat on a hard wooden bench in the second row of the federal courtroom during the sentencing.

They were the only defendants' relatives able to afford the trip to Washington, their attorney, Daniel Schulz, said.

MRS. BARKER, wearing a simple black and white checkered coat, said her husband's health has deteriorated in prison, his real estate business is shattered and the money they had saved for re-

—Turn to Page 2B Col. 3

tirement exhausted. She had hoped he could come home immediately, she said, so they could begin to rebuild what was lost.

"I'm still not sure that Judge Sirica is not part of the coverup," Maria Moffett said bitterly.

"My father really thought he was helping his country, yet the administration used men like him to try to destroy our system of government. It is obvious that Hunt had a deal with the judge. It is inconceivable that Hunt got only 30 months for his part in this thing."

Barker's wife and daughter seemed more angry than emotional as he and the other defendants were marched out the back of the courtroom.

Even in her own joy, at work at Channel 23 where she is comptroller, Jan Sturgis too could not resist comparisons.

"Everybody thought Segretti's crime was so dirty. All he got was six months. These men were doing a security job. They never did anything illegal in their minds.

"All I care about is one thing," she added, "that Frank is coming home."

She and Frank talked by telephone Wednesday but did not discuss the sentencing. "We've been disappointed too many times," she said.

Instead it was small talk, about her daughter, Gale, a drama student, and the family's pet dogs and cat. He told her he missed her.

Friday, before the sentencing, she fought nerves and tears, "trying to keep my mind blank."

She erased fearful thoughts, drowning her consciousness in a mystery novel, not one of the dozens written by E. Howard Hunt, who stood trial in the same courtroom where her husband, a husky former choir boy, athlete, bomber and soldier of fortune was sentenced Friday.

Mrs. Sturgis, friends and co-workers watched it all on a CBS monitor.

HER INITIAL reaction was confusion.

"I don't know what one to four years means. How long exactly? Everyone thinks it will be by the end of the year. Will he definitely be home by Christmas?

"There's only one thing I want — that's my husband home. For so long we read things and heard things and now the world, even Judge Sirica, knows the truth — what we've known for so long."

Even the government urged leniency Friday, saying the defendants may have acted out of misguided loyalty.

BUBBLING OVER with plans "to clean the house, cut the grass and have all his clothes ready and waiting, Mrs. Sturgis fielded calls of congratulations from friends.

"A complete year is gone, out of our lives, but that's all right. I'll still be only 25," she joked.

"When he really comes home — we'll start living again."

Gonzalez' wife, Celia, told reporter Chuck Gomez as she walked out of the Marriott Hotel where she is a salad girl in the kitchen that she was "extremely happy."

"Imagine how I think. I was nervous all day long because now I know he's coming home," she said. "Judge Sirica has behaved very well. He didn't give him the sentence my husband was going to get which was 35 years."

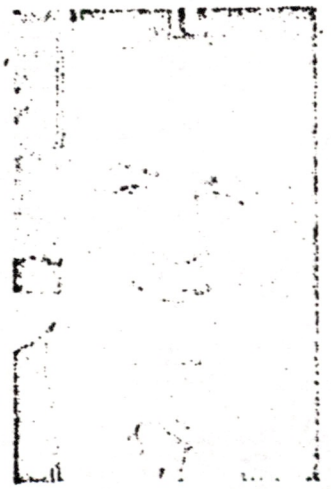
Mrs. Gonzalez heard the news at 1 p.m.

"First one of my daughters called. Then everyone was calling me! Everyone at work was excited and happy."

About Nixon and Watergate — "That's his concern," she said, laughing.

(Mount Clipping In Space Below)

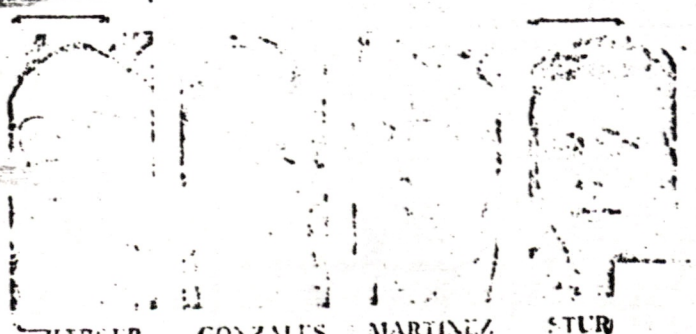
Watergate Six Get Brief Terms



James McCord
... 1 to 5 years



E. Howard Hunt
... 2½ to 8 years



BARKER GONZALES MARTINEZ STU

Miami Herald
11/10/73

By PHIL GAILEY
Herald Washington Bureau

WASHINGTON — U.S. District Judge John Sirica sentenced seven of the original Watergate defendants to relatively brief prison terms Friday. He gave the lightest punishment to three of the four defendants from Miami and convicted Watergate conspirator James W. McCord Jr.

Three of the Miami men — Frank Sturgis, Eugenio Martinez and Virgilio Gonzales — were ordered to serve from one to four years in a minimum security prison. The fourth Miamian, Bernard L. Barker, must serve from 18 months to six years, apparently because he recruited the other three for the break-in.

The man who recruited Barker, E. Howard Hunt, was handed the heaviest sentence — from 2½ to eight years, plus a $10,000 fine.

McCord was ordered to serve from one to five years.

HUNT AND the four Miamians have already served 11 months in jail awaiting final sentencing. McCord, who was convicted by a jury, has remained free on a $5,000 bond.

Sturgis, Martinez and Gonzales will be eligible for parole in one month and could be home for Christmas.

Barker will qualify for parole consideration in seven months.

Hunt and the four Miami men pleaded guilty last January to seven counts of conspiracy, burglary, bugging and wiretapping.

The Miami men and McCord were arrested inside the headquarters of the Democratic National Committee on June 17, 1972.

G. Gordon Liddy, the alleged planner of the Watergate break-in, is serving a sentence of up to 20 years in prison.

IN THE CASE of the Mi-

Turn to Page 9A Col. 3

amians, Judge Sirica said, "It was the lowest minimum that I thought was justified under the circumstances."

Hunt got the heaviest sentence, apparently because he recruited the others for the Watergate break-in.

Judge Sirica passed sentence after listening to an impassioned, 40-minute plea for leniency from the attorney representing the Miamians.

"The question is how much more punishment should you mete out to the soldiers in this affair while the architects, the generals, have not yet spent one day in jail," attorney Daniel Schulz told an overflowing courtroom.

"How much longer will the government vent its anger and frustration on these four little men from Miami who have been sacrificed as pawns? When will the time come to say enough is enough? They have suffered enough. To send these men to prison will not deter future Watergates. The only answer to that is to punish the generals."

SCHULZ SAID the Miami men, comrades in past Cuban liberation movements, were "confused" but still believe their participation in the Watergate break-in was a legitimate government intelligence operation.

Martinez, stooped and wearing a rumpled gray suit, told the judge before sentencing: "If I did wrong, I am really sorry. I did not become an American citizen to become a criminal or what I am today. I don't feel that anyone has betrayed me . . . I just thought I was doing my job. If I have done wrong, I want you and this country to forgive me. I will never be bitter."

Barker, 56, who received a heavier sentence apparently because he recruited the three others for the Watergate operation, told the court he hoped he would not have to go back to prison so he could return to Miami to "prepare for my old age."

He said his "suffering" was dedicated to the liberation of Cuba and "if nothing else has been achieved it has shown Americans the sanctity of this cause."

STURGIS and Gonzales declined to make a statement before being sentenced.

Philip Lacovara, a government prosecutor, asked Sirica to consider their "misguided loyalty" and "their position at the bottom of the totem pole" in sentencing them.

McCord, former security coordinator for the Committee to Reelect the President, told Sirica he participated in the Watergate break-in "because I thought, then, as I do now, that the President of the United States had set the plan in motion."

McCord, whose decision to cooperate with authorities helped to break open the case and expose a White House coverup, said "the full facts have still not come out and may not for some time."

Hunt, a former White House consultant, author of spy novels and CIA agent, did not make a pre-sentencing statement.

BARKER'S daughter, Maria Elena Moffett of Alexandria, Va., criticized Judge Sirica before reporters outside the courthouse for being too lenient on Hunt, whom she blames for her father's ordeal.

"I'm still not convinced that Judge Sirica is not part of a coverup," she said. "It is obvious that Mr. Hunt had a deal with Judge Sirica. It is inconceivable that he gave him only 30 months after giving my father 18 months."

She also denounced the White House, saying, "My father thought he was helping this country. Yet, this administration used men like my father to destroy our system."

Mrs. Moffet and her mother, Clara Barker, sat in the second row in the courtroom. After the sentencing, Mrs. Barker said the judge was "very hard" on her husband and said she was "very disappointed" with the sentence.

168

(Mount Clipping in Space Below)

Watergate Relief Fund Sets Dinner

The Miami Watergate Defendants Relief Fund announced Saturday it will hold a fundraising dinner Nov. 16 at the Marriott Hotel to try and raise $30,000 in legal fees the four Miamians owe.

Carlos Perdomo, treasurer of the fund, said the $50-a-plate dinner would be followed by another benefit performance of American and Cuban entertainers to raise funds to pay off their debts to attorney Daniel Schultz.

The four men, Bernard Barker, Eugenio Martinez, Virgilio Gonzalez and Frank Sturgis, were given light sentences Friday by U.S. District Judge John Sirica in Washington.

All except Barker were given one- to four-year sentences and may be back in Miami before Christmas, since they have been in jail since January. Barker was given an 18-month to 6-year sentence and will probably have to serve at least seven more months.

Miami Herald
11/11/73

(Mount Clipping In Space Below)

Of Miamians in Watergate Await Word on Their Parole

By JUNE BRONHOLZ
Herald Staff Writer

Three of the four Miami burglars arrested inside the Watergate headquarters of the Democratic National Committee have completed their parole board hearings and are awaiting word on whether they are to be released or must serve more prison time.

Parole officers at the federal prison at Eglin Air Force Base, where the three are serving one- to four-year sentences, confirmed Monday that Eugenio Martinez, Virgilio Gonzales and Frank Sturgis had parole hearings last Thursday and Friday.

The fourth convicted Miami burglar, Bernard Barker, received an 18-month to five-year sentence and will not be eligible for a parole hearing until April.

All four men were transferred to the Eglin prison camp in Florida's Panhandle from the federal penitentiary at Danbury, Conn., where they had been housed since their convictions last December.

A MEMBER of the nine-man federal Parole Board conducted the hearings for all three men. Hearings frequently are conducted only by staffers who are not members of the board.

George Murphy, the chief classification and parole officer at Eglin, predicted that the three probably would learn in four-six weeks whether their pleas for parole have been granted or whether they must serve more time before they can be released. He said nothing about release before Christmas.

Barker and Martinez arrived at the Air Force base prison on Nov. 20, prison records show, after serving almost a year at Danbury. Gonzales arrived one week later and Sturgis, who had been transferred to Miami to stand trial for conspiracy and auto theft, arrived at the prison only last week.

Sturgis was convicted of the charges by a Miami federal jury and is awaiting sentencing by Judge C. Clyde Atkins.

Miami Herald
12/12/73

(Mount Clipping In Space Below)

Three Watergate Burglars— Must Spend Holidays in Jail

By ROBERTO FABRICIO
Herald Staff Writer

Three of the convicted Watergate burglars who were sentenced to 18 months for the break-in will have to spend the holidays at their Eglin Air Force Base jail.

Eugenio Martinez, Virgilio Gonzalez and Frank Sturgis could have been paroled as early as last week, but because of the importance of the case a longer, more tedious parole process will be used, said Daniel Schultz, their attorney.

A decision by two of the nine members of the U.S. Board of Parole in Washington usually is all that is needed for an approval or denial of parole. But, because of the notoriety of the Watergate case, the whole board will meet Jan. 7 to decide on the paroles, Schultz said.



MARTINEZ GONZALEZ

Bernard Barker, the fourth Watergate convict from the Miami area, will not be eligible for parole until June.

"Everyone is disappointed but they have waited a long time and by having to wait another two weeks it is not too bad," Schultz said.

But at least one of the wives, reached at her Miami home Wednesday night, did not agree with Schultz.

"We are just simply not going to celebrate Christmas this year," Mrs. Celia Gonzales said. "He (Virgilio) has always been home for Christmas and so without him we will not celebrate."

Mrs. Gonzales said she plans to fly to Eglin Air Force Base to be with her husband during Christmas. Mrs. Barker also said her family will not meet for Christmas and she will be at Eglin with her husband.

Mrs. Janet Sturgis and Martinez's fiancee, Silvia Campo, were not available for comment.

"I don't know how much longer I can take this," Mrs. Barker said. "My husband is taking it much better than I."

Miami Herald
12/20/73

(Mount Clipping in Space Below)

'I Was a Soldier'

Soviet Embassy Was Bugged, Barker Says

By ROBERTO FABRICIO
Herald Staff Writer

The White House "plumbers" unit had intercepted and taped radio communications of the Soviet Embassy "proving they had access to the Pentagon papers," convicted Watergate burglar Bernard Barker Saturday said then-White House aide E. Howard Hunt told him.

"When (E. Howard) Hunt told me they had taped conversations of the Soviet Embassy and that the tapes proved the Soviets were in the process of obtaining the national secrets, I decided the case involved national security and agreed to cooperate," said Barker.

Barker would not say if he had heard the Soviet Embassy tapes in question but said, "I have no doubt the [illegible] of the tapes existed."

Barker returned to Miami Friday released from prison during the appeal of his two-and-a-half-year sentence for the Watergate burglary.

LAST JUNE, Nixon Administration sources said the Soviets obtained a copy of the documents the day before a Federal Court issued a restraining order barring the New York Times from publishing the reports.

The Soviet Embassy, according to FBI reports, received the Pentagon Papers before they were published.

Hunt, who was freed on an appeals bond Wednesday, has not been available for comment.

"I can remember Hunt telling me, 'The Soviet Embassy has been bugged and we have tapes with conversation

Miami News
1/6/74

172

indication that they have some of the [illegible] on Pentagon Papers," said Barker.

Barker, a Miami real estate executive, Felipe DeDiego were members of a team that broke into the offices of Daniel Ellsberg's psychiatrist in Los Angeles in September 1971.

Ellsberg, who has admitted to passing the papers on to The New York Times for publication, has not been linked to the leak of the documents to the Soviet Embassy, however. A still-mysterious man who signed a letter with a false name passed the papers to the Soviets, according to FBI reports.

"I CONSIDERED that the handing out of national secrets was a betrayal of this country," said Barker Saturday from his doctor's office in a Little Havana Cuban clinic.

He was being treated for facial paralysis he said he contracted while in the Federal Prison at Eglin Air Force Base.

"I thought that man (Ellsberg) was a traitor and I decided that I would serve my country by consenting to do the work asked of me," said Barker.

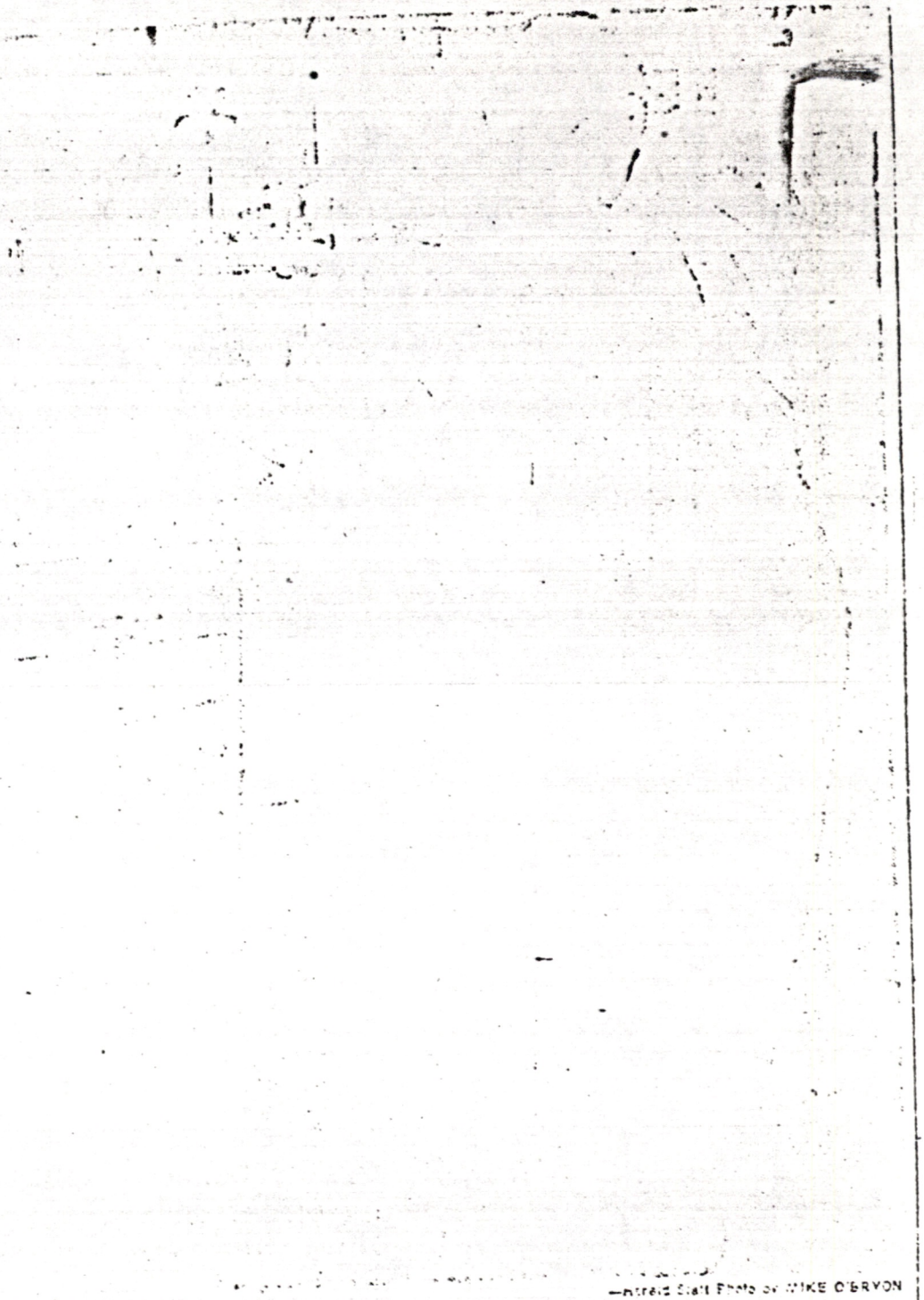
There have been unconfirmed reports earlier that Soviet Embassy limousines had been bugged but Barker is the first Watergate figure to say that there are tapes of the embassy's intercepted conversations.

Ellsberg and Anthony Russo, Jr., both onetime researchers with the Rand Corp. in California, were charged with conspiracy, espionage and theft of government property in connection with disclosure of the documents.

U.S. District Court Judge Matt Byrne, Jr., citing severe governmental misconduct (based on Barker's entry in the psychiatrist's office) dismissed the case against the two men before it went to a federal grand jury.

"WHEN I AGREED why the FBI and the CIA could not do the job I was told by them that Supreme Court rulings prevented the FBI from doing it and that the CIA was

Turn to Page 2B Col. 1



—Miami Herald Photo by MIKE O'BRYON

Bernard Barker, Wife Clara Stroll on Flagler Street
. . . point out lot he sold two years ago while in real estate

sticking to foreign affairs," said Barker.

"I guess I could have kept asking questions but I was a soldier in the operation and I believed I was working for the government and I decided to carry out my orders," said Barker.

Looking relaxed and jovial as he embraced friends and told people that with the exception of his facial paralysis he was feeling fine, Barker said treatment and medical attention at the Eglin prison were worse than he disclosed Friday.

"I thought about this overnight and I must admit that I promised the crying wives of prisoners at Eglin that I would speak out against what I consider criminal neglect in medical attention to prisoners," said Barker.

"THERE ARE about 500 inmates there and not a single doctor to attend to them, just male nurses who have no authority to prescribe or to give adequate treatment," said Barker.

"Because prisoners at Eglin are on the final months of their sentences they have to take all the verbal abuse given them and the medical situation with their mouths shut," said Barker.

"I would have protested there but I did not want a black mark on my record which would have prevented my parole," he added.

Prison superintendent James Rhodes said there is a clinic at Eglin and that two "medics" staff it and that he felt the facility and services were adequate. Barker said it took him 24 hours to get medical attention after developing the facial paralysis, which he said could have been caused by a stroke.

As Barker stepped outside the Centro Benefico clinic at 1422 W. Flagler St. several persons who recognized him and about five personal friends stopped cars and walked over to greet him and congratulate him on his release.

Barker was freed while his sentence is appealed. He could be paroled in June, however, and might not have to return to prison in the Watergate case. The Watergate Grand Jury, however, has not indicated if it will indict Barker for his participation in the Ellsberg burglary.

BEFORE BARKER and De Diego travelled to Los Angeles in Sept. 1971, they also had been involved in a mission in Washington, D.C. on May 4 of that year to disrupt anti-war demonstrations at the funeral of the late J. Edgar Hoover.

A particular target of that demonstration was Daniel Ellsberg, "the traitor," De Diego said last year in an interview.

Barker said he hired Eugenio Martinez, a salesman in his realty company, for Martinez's expertise in intelligence work. Martinez has been a long-time CIA operative.

"I hired Frank Sturgis because he is big and strong and is muscle and Villo (Virgilio Gonzalez) because he was a locksmith who was willing to go," said Barker.

THE THREE other Miami men will have a parole hearing division on Monday in Washington and could be in Miami later this week.

Barker was emphatic that a year and a half after Watergate and with more than a year of jail still possible for the charges facing him, he is not sorry for what he did when he led four other men into the offices of the Democratic National Committee at the Watergate office complex June 17th, 1972.

"Now, if I find out the things Hunt told me were lies, I might change my mind of what I did," he said. "But that is his own problem if he is lying.

"I cannot live his life. If he lied to me, he has to live with those lies, but I want to emphasize that I still don't think he was lying when he told me the work he asked of us was needed because of national security," he added.

Barker, who said being caught inside the Watergate building was so far removed from his mind that it went blank upon realizing he was being arrested, said he is sad his name will be linked with the Watergate scandal in history.

"I put my mind in a blank, I did not want to react, I just went blank and didn't think because being caught in there was the one thing I never had thought about," he said.

"I HOPE that history looks at the involvement of Cubans in this affair as a coincidence, because as a matter of fact we never really cared about any of the dirty tricks that have come out later," he said.

"We agreed to cooperate because we felt it was our duty and because we felt we would expose Hunt and the White House in a debt to us which could cash payment we needed help to free Cuba," said Barker.

"We wanted the moral force to ask them for help," he added.

"There was nothing that I could gain from engaging in a criminal act that has brought about so much disgrace to me and my family," he said. "What I did I did thinking I was right."

Barker, 56, is the Cuban-born son of an American father and a Cuban mother. He fought in WWII, where he fell captive to German forces and was a prisoner in a Nazi concentration camp for 17 months. He was in intelligence work in Cuba for a time and later was a businessman and boxing promoter until he fled to the U.S. in 1959.

Once in the U.S. he went to work for the Central Intelligence Agency and was intrumental in organizing the Bay of Pigs invasion with Hunt.

(Mount Clipping in Space Below)

Miami Watergate Three Are Granted Parole

By PHIL GAILEY
Herald Washington Bureau

WASHINGTON — The U.S. Board of Parole granted paroles Monday to three Watergate burglars from Miami who have served a year of their four-year sentences.

Frank Sturgis, Eugenio Martinez and Virgilio Gonzales will be released from a federal prison camp at Eglin Air Force Base, Fla., on March 7.

Bernard L. Barker, a Miami real estate agent who recruited the other three for the Watergate operation, was released from Eglin on his personal bond Friday pending the outcome of his appeal.

The three were sentenced to prison terms of one to four years last Nov. 9 by U.S. District Court Judge John J. Sirica.

BARKER drew a heavier sentence — from 18 months to six years — apparently because he had recruited the others at the request of former White House aide E. Howard Hunt, who was also released from federal prison last week pending the outcome of his appeal.



MARTINEZ GONZALI

The four Miami men, along with James W. McCord Jr., former security chief for President Nixon's reelection

Miami Herald 1/8/74

175

committee, were arrested inside the Democratic National Headquarters in the Watergate complex June 17, 1972.

The Miami four pleaded guilty in January 1973 to burglary, conspiracy and electronic eavesdropping.

McCord was convicted on similar charges, but has remained free on $5,000 bond pending the appeal of his case.

At the time of their sentencing, Daniel Schultz, an attorney for the Miami men, said his clients were "confused" men whose patriotism and zeal to liberate Cuba had been exploited by White House political operatives.

FROM the beginning, the Miami four maintained silence and refused to cooperate with federal prosecutors — even after Judge Sirica indicated that their final sentences might be determined by the degree of their cooperation.

Sturgis' wife Jan, employed at a Miami television station, said she learned the news of her husband's parole Monday afternoon from a wire service story.

"It's better than nothing but it's still two months," she said. "And there's that other

Turn to Page 2A Col. 8

From Page 1

thing hanging over him here." Sturgis was convicted, after a mistrial, of taking part in a stolen car ring. He is to be sentenced Wednesday.

"I'LL BE able to think more about the future after Wednesday," Mrs. Sturgis said. "Watergate was bad enough; he was involved. But I know he never stole a car in his life."

She said she was "especially happy for Villo (Gonzales) and Rolando (Martinez)" because they will be free "to go back to their families."

Upon his release Friday, Barker said that none of the Watergate revelations of recent months have convinced him that the Watergate break-in was wrong. He probably would go through the whole thing again if he had to, he said.

"I will never deny my services to my country," Barker saaid. "I strongly believe that what I was doing was carrying out the order of my government. I would do it anytime I would have to."



STURGIS

FBI-330 (Rev. 7-10-63)

(Mount Clipping in Space Below)

Barker, Martinez, DeDiego

3 Now Face Ellsberg Charges

Miami Herald 1/26/74

By ROBERTO FABRICIO
Herald Staff Writer

Worries of Watergate stopped just long enough Friday night for Bernard Barker and Frank Sturgis to meet with about 200 Cuban friends paying $50 a plate for steak to help them pay their legal expenses.

But with a background of cha-cha music going full blast their Washington lawyer, Daniel Schultz, said their worries are far from over.

"I expect (Eugenio) Martinez and Barker and (Felipe) DeDiego to be indicted within the month for the entry in Dr. Fielding's office," he said, referring to Dr. Lewis Fielding, Daniel Ellsberg's Los Angeles psychiatrist.

Schultz also said that he had strong indications that his four clients would be indicted also for "participation in the cover-up and obstruction of justice."

"THEY really have no reason to feel entirely safe yet," Schultz said: "We still have at least two years (of legal maneuvering) ahead of us."

The Watergate Defense Relief Fund organization raised nearly $5,000 at Friday's dinner.

Attending were wealthy

and middle-class Cubans, many of them close friends of some of the convicted burglars and some just sympathizers in Miami's Cuban community.

Miami City Commissioner Manolo Reboso arrived while guests were eating New York strip steaks and told someone who greeted him:

"I want to sit at the table with the brigade," a reference to the Bay of Pigs invasion brigade of which he and Barker were members.

SCHEDULED TO speak were Manuel Artime, the Bay of Pigs invasion's civilian chief, Sturgis, Barker and Reynaldo Vergara, who heads the Relief Fund.

"May God bless President Nixon so he can endure the attacks upon him so the nation may survive," said the Rev. Ramon O'Farrill, a priest who gave the invocation.

Earlier, lawyer Schultz had said that even if his clients are having trouble coming up with the $28,000 they owe him, he is not considering stepping out.

"There were not any more Cubans involved in the Watergate because no one else was asked," said Vergara. "Because we know if any Cuban had been told that there were Castroite documents in an office in Washington, there would have been not just four Cubans in the Watergate, there would

Turn to Page 3B Col. 1

3 Facing Ellsberg Charges

[redacted]

have been thousands of Cubans in the Watergate."

Just before the dinner began, several Cuban women played piano and sang Cuban songs on a stage at the back of the Marriott Hotel's dining room.

There were many embraces and emotional reunions by Sturgis and Barker with friends they had not seen since they went to jail, although they have been free on bond for more than a week.

In speaking to the audience, lawyer Schultz bitterly criticized U.S. District Judge John Sirica, saying that the four burglars "have in fact paid for the guilt of the real generals who have been spared the heavy sentences."

In referring to the possible indictments for the coverup and the doctor's office burglary, Schultz said, "this time the plea will be not guilty, and if they are indicted again, we are going to fight to the end."

The Crisis Isn't Over Yet For Watergate Burglars

Miami Herald
3/7/74

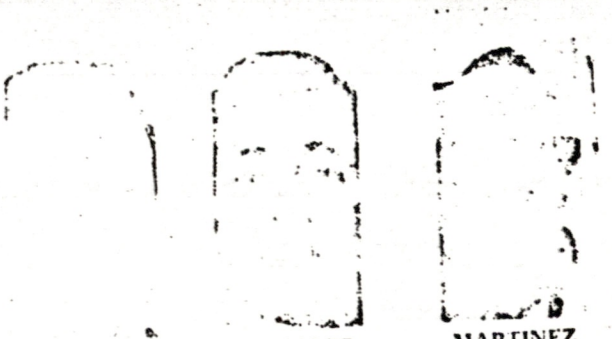
By JUNE KRONHOLZ
Herald Staff Writer

Bernard Barker sits in a development company office in Hialeah, bubbling over the phone about the new apartments he's selling.

It's almost like the old days—the days before 21 months ago when Barker and three other Miamians were discovered prowling the corridors of the Democratic National Committee headquarters at the Watergate in Washington.

Barker, the leader of the Watergate quartet and the defendant who drew the heaviest sentence for his role in the break-in, was granted freedom longer than the three men he recruited to help him.

Frank Sturgis, like Barker,



STURGIS GONZALES MARTINEZ

is back in Miami doing construction work and trying to start over.

THE OTHER two burglary associates, Eugenio Martinez and Virgilio Gonzales, are to walk out of Eglin Air Force Base Prison today for the first time in more than a year.

For Gonzales, his time in jail is apparently over. But new indictments spinning out of the Watergate case are expected to bring two others back to trial, and a sentence for car theft faces a third.

Since his release from Eglin Jan. 7, Barker has become vice president of C.J.S-BAR Inc., a Hialeah development company building a 45-

unit [illegible] called El Flamingo.

According to the corporation charter, Mamiana Wenceslao Castro, Harry Ryabland Peter Lopez are officers in the company.

BARKER calls himself the "promoter" of the 1055 W. 77th St. complex which already has sold six apartments for $25,000 each, he said.

Barker himself answers the phone when it rings in his construction office and enthuses about the project like the long-time real estate salesman he is. But there is something he keeps in the back of his mind.

"The Ellsberg indictments," he muses, "as if I

Turn to Page 8B Col. 1

didn't have enough to think about."

BARKER, Martinez and a third man, Eliseo de Diego expect indictment this week for the 1971 burglary of the office of Dr. Lewis Fielding, Daniel Ellsberg's psychiatrist. The burglary occurred after Ellsberg released the "secret" Pentagon Papers.

"They (the indictments) should be coming down pretty soon," agrees Washington lawyer Daniel Schultz who will represent Martinez in the trial. "We've known about it for months, you know."

BUT EVEN without the Fielding [illegible] the trial that [illegible] Barker faces a [illegible] an appeals court [illegible] The four were to [illegible] sentence [illegible] on Nov. 6, 1973 [illegible] in the Watergate [illegible]

"I still resent the word burglar," he says. But he will have to live with it [illegible] years [illegible] if the appeals court upholds his conviction and revokes the bond that released him from jail two months ago.

FRANK STURGIS posted [illegible] appeal bond in February and since then has been working as a subcontractor in Miami, "putting in driveways and drain fields and that sort of thing," his wife Janet says.

But life, she admits, hasn't been easy.

"We're trying to pick up the pieces and resume the lives we led before all this happened," she says, even though Sturgis faces not one, but two prison terms.

In addition to the Watergate burglary sentence which Sturgis will have to serve if an appeals court upholds his conviction, the tall, curly-haired former window salesman faces a nine-month prison term for transporting stolen cars to Mexico.

A FEDERAL judge in Miami handed down the sentence on Jan. 8, then granted Sturgis an appeal bond while he fights the conviction.

While Barker and Sturgis, this week face the prospect of returning to jail, Martinez and Gonzales face the prospect of freedom for the first time in 14 months.

The two were sentenced to one year to three-year terms last fall, and have been in jail since January 1973.

Like Sturgis and Barker, they were granted the right to an appeal bond, but turned it down.

"They chose to stay in and finish their time," their lawyer, Schultz says. "They didn't want to have to face the thought of returning to jail, they didn't want to have to worry about it again."

When the dark-haired, cigar-smoking Gonzales returns to Miami today, his lawyer says, he'll return to the same occupation he left behind 21 months ago — as a locksmith.

For Martinez, the future appears less certain. An indictment for the Fielding break-in could lead to a lengthy and costly trial and another prison term.

BARKER HAS vowed that he and Martinez won't plead guilty as they did in the Watergate case. Instead [illegible]

will fight the Fielding charges, claiming that they were recruited by E. Howard Hunt, the former White House aide, for what they thought was official government business, Barker said.

Schultz said he will challenge the indictments, and if that fails, he will ask District Judge John Sirica to move the trial to Miami.

"Heck," he explains, "we'd like to get a little sun and a few Cubans on the jury while we're at it."

(Mount Clipping in Space Below)

3 Microfilms Are Included

Jury Indicts Six In Ellsberg Case

Miami Herald
3/8/74

Ehrlichman And Colson Accused

By JAMES McCARTNEY
Herald Washington Bureau

WASHINGTON — A federal grand jury Thursday indicted former top White House aides John Ehrlichman and Charles Colson, and four others, for the 1971 burglary of the office of Daniel Ellsberg's psychiatrist.

The two were named in the indictment as key figures in the so-called Watergate "plumbers" group, which President Nixon has admitted authorizing.

The new indictment came as the second in a series from the Watergate special prosecutor's office, following the indictment last Friday in which seven former Nixon associates were accused of participation in the Watergate coverup.

Both Ehrlichman and Colson were also charged Friday with conspiracy and obstruction of justice.

IN THE NEW indictment the two were accused of "conspiracy against the rights of citizens" — in this case the psychiatrist, Dr. Lewis J. Fielding. The charge is a felony, with a penalty of a fine of up to $10,000 or 10 years in jail, or both. Ehrlichman was also indicted Thursday on four counts of perjury before the grand jury and FBI agents.

Named with them were three convicted Watergate burglars, G. Gordon Liddy, Bernard Barker and Eugenio Martinez, both of Miami, plus Felipe De Diego, also of Miami.

Three others were named as coconspirators in the Ellsberg burglary, but were not indicted — Egil Krogh Jr., David Young and E. Howard Hunt, all former White House staff members.

Krogh has already pleaded guilty on similar charges and Young and Hunt were granted immunity in the investigation for cooperating with authorities.

The indictment, which was returned before Judge John

Turn to Page 18A Col. 1

Sirica, said that the six defendants, and the three coconspirators, "unlawfully, willfully and knowingly did combine, conspire, confederate and agree . . . to injure, oppress, threaten and intimidate" Dr. Fielding.

IN INVADING his office on Sept. 3, 1971, the indictment said, the conspirators violated Dr. Fielding's rights "to be secure in his person, house, papers and effects against unreasonable searches and seizures" — rights guaranteed by the Fourth Amendment to the Constitution.

Ehrlichman was also charged with making a false statement to FBI investigators and with three counts of making false declarations to a grand jury or court.

Ehrlichman, who rose to become Nixon's top domestic adviser and was widely considered one of the most powerful men in the first Nixon Administration, was accused of helping to plan the burglary initially from the beginning.

The indictment specifically accused him of approving "a covert operation" to examine Dr. Fielding's medical files, proposed officially on Aug. 11, 1971, by Krogh and Young.

On March 27, 1973, long after the break-in, the indictment said, Ehrlichman "caused the removal of certain memoranda" about it from White House files.

EHRLICHMAN WAS also in on discussion of financing the operation and plans to "get information out" on Ellsberg, the indictment said.

Ellsberg, a former Defense Department official, has acknowledged leaking to the press the Pentagon papers, a secret government history of the escalation of the Vietnam war.

The Nixon White House apparently decided to attempt to discredit him publicly in 1971 and the break-in was staged to obtain information to smear him.

COLSON'S role according to the indictment, began on July 28, 1971, when he received a memorandum from E. Howard Hunt entitled "Neutralization of Ellsberg," which discussed a proposal "to obtain Ellsberg's files from his psychiatric analyst."

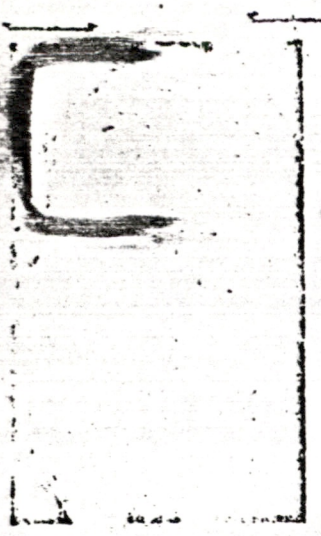
After that, Colson is accused of playing a role in obtaining money to pay Hunt and Liddy for staging the burglary and preparing a plan to disseminate information about Ellsberg.

The indictment said Colson obtained $3,000 to pay for the burglary from the Trust for Agricultural Political Education (TAPE), a political fund-raising arm of American Milk Producers Inc., involved in the celebrated Nixon "milk fund."

The indictment said Colson gave the money to Krogh, who turned it over to Liddy.

THE STORY of the Field-

182



John Ehrlichman
... lying charge

ing burglary has become a familiar part of the Watergate drama, and is asserted again in the indictment. Liddy and Hunt put together the team, the indictment charges, and traveled to Los Angeles to stage the abortive burglary. Barker, De Diego and Martinez are accused of entering the doctor's offices.

In a separate count in the indictment, Ehrlichman is accused of lying to FBI agents investigating the facts behind the burglary. The indictment said he falsely told the FBI in May of 1973 that "it had been over a year" since he had "seen anything on the 'Pentagon Papers' investigation."

According to the indictment, Ehrlichman also lied when he told a Washington grand jury on May 14 last year that he learned of the break-in only after it happened.

The indictment accused Ehrlichman of lying to the grand jury on at least nine separate occasions in connection with his knowledge of the break-in.

It quoted passages of his testimony to illustrate.

In a separate indictment Liddy was charged on two counts of refusing to testify before Congress about the "Plumbers" activities.

"We will fight it. We will plead innocent," said Barker in Miami, adding that he was speaking for Martinez and De Diego as well as himself.

He said he had "absolute faith" that he and the others would be exonerated of all charges connected with Watergate and the "plumbers."

BARKER, who is selling condominiums pending appeal of four- to six-year sentence for the Watergate incident, repeated what he has said about Watergate, that he and his colleagues believed that they were doing something for national security, that they only did what "any patriot" would have done if called upon.

De Diego, like Barker and Martinez, a veteran of the Bay of Pigs invasion, was indicted for the first time. But he was named in the Liddy-James W. McCord Watergate trial as one of the men who broke into Watergate some three weeks before the others were arrested inside.

The Ellsberg case indictments were announced as Martinez and another Watergate burglar, Virgilio Gonzales, were on their way home to Miami from the minimum security federal prison at Eglin Air Force Base in northwest Florida where they were released before dawn Thursday after serving 14 months for the Watergate burglary in June 1972.

"I'm glad to be out. I'm tired. I'm going to Miami," Martinez said.

Gonzales, a locksmith before he was jailed, said, "I will return to my life as it was before."

COLSON, facing his second inuictment in six days, restated his innocence and said "there is much the public has not been told about circumstances surrounding this matter. A great deal more may be revealed in the course of this proceeding." Colson formerly was special counsel to Nixon.

183

(Mount Clipping in Space Below)

Last of Watergate Cubans Welcomed Home From Jail

By CATHY GROSSMAN
Herald Staff Writer

The last Cuban exiles to be released from prison for the Watergate break-in stepped off a plane to hear shouts in the Cuban National anthem and into a whirlpool of excited embraces at Miami International Airport Thursday.

Eugenio Martinez and Virgilio Gonzales, both dapper, wide-smiling men now free on parole after serving 14 months for the break-in, returned at dusk.

Between the predawn hours when they were released from the minimum security federal prison at Eglin Air Force Base and their return to Miami, Martinez was arrested in a new set of indictments for the burglary of Daniel Ellsburg's psychiatrist's office.

BARKER, who said Martinez, Felipe de Diego and he will fight this case rather than plead guilty as they did in the Watergate case, and de Diego, who said he was "proud to have worked against a traitor such as Ellsberg," waited for the plane at the gate.

Martinez' first words to the crush of reporters waiting for him were, "It is an expensive commodity to prove your innocence today.

"You have heard that (John) Ehrlichman is already having his friends raise $1,000,000 and even the President says if he had to defend himself he would have to borrow money," Martinez said.

He would comment no further on his case saying that he would meet with his attorney, Daniel Schultz, in Washington after their arraignment March 15.

Then the gray-haired, well-tanned Martinez and his fiancee, Sylvia Campos, who greeted him at Eglin Thursday morning, moved into the crowd to embrace friends, many of whom have organized a defense fund with a goal of at least $30,000.

Gonzales, like Martinez, had decided to serve in prison until paroled rather than be freed on appeal bond as were Barker and the fourth Cuban involved in the June 11, 1972 break-in, Frank Sturgis.

THURSDAY evening, arm in arm with his beaming red-haired wife, Gonzales walked down the concourse saying, "My life will be no different now."

Gonzales' wife was forced to return to work despite her poor health during his imprisonment, he said, "and

Turn to Page 18A Col. 4

Miami Herald 3/8/74

now [illegible]
home again too.

"A locksmith who joked that his role in Watergate was "to open doors," Gonzales said he would return to the Bank Safe Co. in [illegible].

At the end of the concourse, beyond the security search area, 100 relatives and supporters began shouting the Cuban national anthem and waving placards proclaiming "Yesterday, Today and Tomorrow, We Are Behind You" at Martinez, walking arm in arm with Barker and De Diego, first stepped into view.

MARTINEZ was swept into the welcoming crowd and a succession of thumping embraces, as Nene Perera pushed in behind him waving a sign saying "The Artemisenos Salute You With Pride."

"We are Artemisenos, that is his hometown in Cuba and mine. We are very proud of these men and what they have done," Perera said.

Gonzales followed Martinez into the throng to be surrounded by his own family. He took in his arms for the first time, Gaston Martinez, his 37-day-old grandson, and proudly carried the blue-bundled baby to his car.

—Miami Herald / [illegible]

A Joyous Eugenio Martinez Is Greeted at the Airport
... free after 11 months in prison for Watergate break-in

(Mount Clipping In Space Below)

Watergate burglars seek a quiet life

By BILL GIEBRE
Miami News Reporter

Paroled Miami Watergate burglar Virgilio Gonzales hopes today to begin a "nice, quiet, ordinary life."

At the same time, fellow Watergate burglar Eugenio Martinez begins conferring with attorneys on a new indictment. It charges him with breaking into the office of a Beverly Hills psychiatrist "with intent to search for confidential information concerning Daniel Ellsberg."

These were the new paths cut for the two men after they returned here from serving more than a year on the Watergate burglary charges.

They were greeted by an enthusiastic crowd of about 150 Cuban supporters, friends, and relatives at Miami International Airport.

Included in the welcoming party were the other two Watergate burglars of the "Miami Four" already released from prison: Bernard Barker and Frank Sturgis.

"I feel fine being outside," said Gonzales whose wife was at his side."

"I did what was the right thing," he said. "I'd do it again for my country."

Free of any other charges, Gonzales said he planned to return to his job with a bank safe company. "And," he said, "I want to see my grandson, Gastone, 37 days old.

"My wife feels like she's getting a blood transfusion," Gonzales said of his release from Eglin Air Force Base federal prison in the Florida Panhandle. He explained that his wife, Caloto, had to go to work while he was imprisoned and she has a heart condition. He said he hopes to retire her to the home again.

"I plan to see my attorney," said Martinez, looking very healthy and tanned. He said he didn't know how he would plead to the new indictment against him.

But he said, with his fiancee, Sylvia Campos at his side, "I'm happy to be out. I'm going back to work in real estate."

As the two men evaded reporters to enter the terminal area, they were hugged and kissed by friends and relatives.

"I'm just glad that he's out," said Gonzales' daughter Iliana, 15. "To me he's everything."

"What he did was for the country and fighting against communism," said Javier Alvarez, a friend and supporter of Martinez.

"He's always been a revolutionary" said Carlos Bereira, of Hialeah, who came to greet Martinez. "We look to him with pride.

"They are heroes to the Cubans," Bereira added.

While Martinez was noncommital about his plea plans in the new indictment, Barker and Miamian Felipe De Diego, who were also named, said they would plead innocent.

"We knew they (the indictments) were coming down," Barker said. He said he hoped that a change of venue would be granted in the case to the Miami area. His lawyer, he said, might make such a motion when court proceedings begin.

"We were ordered to . . . make a profile of Ellsberg who is a traitor," said De Diego. He declined, however, to mention who ordered him.

Miami News 3/8/74

186*

FD-36 (Rev. 5-22-64)

FBI

Date: 6/3/74

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

Assoc. Dir.	
Dep.-A.D.-Adm.	
Dep.-A.D.-Inv.	
Asst. Dir.:	
Admin.	
Comp. Syst.	
Ext. Affairs	
Files & Com.	
Gen. Inv.	
Ident.	
Inspection	
Intell.	✓
Laboratory	
Plan. & Eval.	
Spec. Inv.	
Training	
Legal Coun.	
Telephone Rm.	
Director Sec'y	

TO: DIRECTOR, FBI (65-74060)
(Attention: INTD)

FROM: SAC, MIAMI (65-3264) (P)

SUBJECT: DANIEL ELLSBERG;
BURGLARY OF OFFICE OF
DR. LEWIS J. FIELDING

Re Bureau airtel, 5/15/74.

Enclosed for the Bureau are five copies of an LHM dated and captioned as above. One copy is being furnished Los Angeles, Office of Origin, in this matter.

This communication contains the complete contents of the [redacted] relating to EUGENIO ROLANDO MARTINEZ as obtained from INS, Miami, Florida, as requested by the Watergate Special Prosecutor's Office.

REC-8 65-74060-4755

Also enclosed is a collection of all the newspaper and periodical articles published locally by both English and Spanish language publications at Miami, Florida, regarding MARTINEZ.

21 JUN 14 1974

ENCLOSURE

2 - Bureau (Enc. 5) (RM)
1 - Los Angeles (105-27952) (Enc. 1) (Info) (RM)
1 - Miami
WWS:nli
(4)

ENCL BEHIND FILE

84 JUN 21 1974

Approved: _____ Sent _____ M Per _____

Special Agent in Charge

U.S.Government Printing Office: 1972 — 455-574

FD-36 (Rev. 5-22-64)

FBI

Date: 6/7/74

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

TO: DIRECTOR, FBI (65-74060)
(Attention: INTD)

FROM: SAC, MIAMI (65-3264) (P)

SUBJECT: DANIEL ELLSBERG;
BURGLARY OF OFFICE OF
DR. LEWIS J. FIELDING

Re Miami airtel with LHM dated 6/3/74, and Miami telephone call to FBI Headquarters dated 6/7/74.

Referenced LHM contained [redacted] newspaper clippings located at Miami, Florida, relating to EUGENIO ROLANDO MARTINEZ.

It is requested that the Bureau and Los Angeles amend pages 89 through 186 of this LHM by inserting down the right hand side of the appropriate pages the identifying data as to the newspaper's name and date of each clipping as follows:

PAGE	NEWSPAPER	DATE
89	"Miami Herald"	6/18/72
91	"Miami News"	6/19/72
92	"Miami Herald"	6/21/72
94	"	6/23/72
96	"	6/24/72

REC-34 65-74060-4757
EX-112
5 JUN 12 1974

2 - Bureau (RM)
1 - Los Angeles (105-27952) (Info) (RM)
1 - Miami
WWS/jjj
(4)

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

5 JUN 20 1974

U.S. Government Printing Office: 1972 — 455-574

PAGE	NEWSPAPER	DATE
100	"Miami Herald"	6/25/72
105	"	6/27/72
107	"	6/30/72
108	"Miami News"	8/3/72
110	"Miami Herald"	9/16/72
113	"	"
114	"	9/20/72
115	"	10/27/72
116	"	11/21/72
117	"	1/9/73
119	"	1/11/73
123	"	1/13/73
124	"	1/16/73
126	"	3/24/73
129	"	4/20/73
130	"	"
133	"	5/5/73
135	"	"
136	"Miami News"	5/10/73
137	"Miami Herald"	5/11/73

PAGE	NEWSPAPER	DATE
138	"Miami News"	5/11/73
139	"Miami Herald"	5/13/73
140	"	5/20/73
143	"	5/23/73
145	"	"
147	"	5/24/73
148	"	5/25/73
151	"	5/27/73
153	"	7/3/73
154	"	7/10/73
156	"	7/15/73
157	"	8/3/73
158	"	"
161	"	8/19/73
163	"	8/22/73
164	"	10/7/73
165	"	11/10/73
167	"	"
169	"	11/11/73

PAGE	NEWSPAPER	DATE
170	"Miami Herald"	12/12/73
171	"	12/20/73
172	"Miami News"	1/6/74
175	"Miami Herald"	1/8/74
177	"	1/26/74
179	"	3/7/74
181	"	3/8/74
184	"	"
186	"Miami News"	"

FD-36 (Rev. 5-22-64)

FBI

Date: 6/17/74

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

Assoc. Dir.	
Dep.-A.D.-Adm.	
Dep.-A.D.-Inv.	
Asst. Dir.:	
Admin.	
Comp. Syst.	
Ext. Affairs	
Files & Com.	
Gen. Inv.	
Ident.	
Inspection	
Intell.	
Laboratory	
Plan. & Eval.	
Spec. Inv.	
Training	
Legal Coun.	
Telephone Rm.	
Director Sec'y	

TO: DIRECTOR, FBI (65-74060) ATTN: INTD

FROM: SAC, WFO (65-11613)

MC LEK

Re WFO airtel 6/6/74.

This is to advise further that on 6/11/74, CHARLES BREYER, Office of the Special Watergate Prosecutor, contacted [redacted] to say that in view of the ruling by the Honorable Judge GERHARD A. GESELL to the effect that the trial of JOHN EHRLICHMAN had been postponed, possibly indefinitely, there would be no need for SAs [redacted] of FBIHQ to confer with BREYER on 6/12/74, as previously arranged. In spite of the reported postponement of the trial, BREYER suggested that EHRLICHMAN's attorney, ANDY HALL, who had requested a pretrial conference with the above agents, be advised that the above agents stand ready to confer once proper authority for same has been received. On 6/12/74, SA [redacted] advised that authority for a pretrial conference with HALL had been approved.

REC-13 65-74060-4766

Accordingly, on 6/12/74, SA [redacted] attempted to contact attorney HALL at the Mayflower Hotel, WDC. Such efforts failed, and [redacted] left his name and number for a call back. To date no return call has been received from HALL.

3 JUN 18 1974

On 6/14/74, BEYER advised [redacted] that the EHRLICHMAN trial had been reset for 6/26/74. The subpoenas originally issued to [redacted] for appearances in Judge GESELL's court on 6/17/74, the date originally set for the trial, according to BREYER did not have to be answered to on 6/17/74.

2- Bureau
1- WFO

HWS:rag
(3)

Approved: _____ Sent _____ M Per _____

51

but rather on 6/26/74. BREYER indicated further that he desired to hold a pretrial conference wit[redacted] at 10 a.m. on 6/19/74. He added that in the event HALL still requested a pretrial conference, BREYER would like to consult with the above agents prior to the conference with HALL. BREYER was assured of compliance with his requests.

The Bureau will be kept advised of further developments in this matter.

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.:
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
Gen. Inv. ____
Ident. ____
Inspection ____
Intell. ____
Laboratory ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

TO : MR. JENKINS

DATE: 6-12-74

FROM : J. J. MC DERMOTT

SUBJECT: HENRY KISSINGER
SECRETARY OF STATE
"NEW YORK TIMES" STORY 6-12-74
ALLEGED USE OF AN FBI REPORT

O McLEK

Reference is made to my memorandum of 6-11-74 concerning captioned matter (copy attached).

ADIC Malone contacted my office this morning to advise that a source of the New York Office had indicated to him that it is anticipated that the "New York Times" story on captioned matter will run for seven days.

Enc.

GTQ:crt
(4)

1 - Mr. Heim
1 - Mr. Malmfeldt

94-8-51-

REC-25 65-74060-4767

5 JUN 17 1974

ENCLOSURE

CORRESPONDENCE

54 JUN 27 1974

XEROX JUN 27 1974

FIVE FUSION

6/11/74

Mr. Jenkins

Mr. McDermott

HENRY KISSINGER
SECRETARY OF STATE
"NEW YORK TIMES" STORY 6/12/74
ALLEGED USE OF AN FBI REPORT

ADIC Malone contacted my office this date to advise that an SAC source of the New York Office had advised him this date that the "New York Times" would publish a story on Henry Kissinger on 6/12/74 dealing with wiretaps. This source also related that the story would be upsetting to Kissinger. He stated that the basis for the story would be "an FBI report."

Malone advised that he would attempt to obtain an early copy of the "Times" and furnish the alleged story to the Bureau.

RECOMMENDATION

For information.

1 - Mr. McDermott
1 - Mr. Heim
1 - Mr. Malmfeldt

TJH:asg
(4)

65-74160-4767
ENCLOSURE

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

JUN 21 1974

TELETYPE

Assoc. Dir.	
Dep.-A.D.-Adm.	
Dep.-A.D.-Inv.	
Asst. Dir.:	
Admin.	
Comp. Syst.	
Ext. Affairs	
Files & Com.	
Gen. Inv.	
Ident.	
Inspection	
Intell.	
Laboratory	
Plan. & Eval.	
Spec. Inv.	
Training	
Legal Coun.	
Telephone Rm.	
Director Sec'y	

NR 027 LA CODE

232AM NITEL JUNE 20, 1974 SENT JUNE 21, 1974 ANR

TO DIRECTOR (65-74060)

WASHINGTON FIELD (65-11613)

FROM LOS ANGELES (105-27952) (C) (2P)

MC LEK

THE OFFICIAL COURT TRANSCRIPT FOR THE ELLSBERG TRIAL, U.S. DISTRICT COURT NUMBER 9373-CD-WMB, FOR MAY 1, 1973, IS VOLUME 123, AND MAINTAINED BY THE U.S. ATTORNEY'S OFFICE IN LOS ANGELES. PAGE 21453 SHOWS THAT COURT CONVENED AT TEN TEN AM ON MAY 1, 1973. PAGE 21457 REFLECTS THAT JUDGE W. MATTHEW BYRNE RELEASED AN FD-302 CONTAINING THE RESULTS OF INTERVIEW OF JOHN ERLICHMAN TO THE DEFENDANTS. ST-101 REC-25 65-74060-4768

THE NORMAL PRESS COVERAGE UP TO AND INCLUDING APRIL 27, 1973, WAS A MINIMUM OF EIGHT INDIVIDUALS. ON APRIL 27, 1973, JUDGE BYRNE READ THE CONTENTS OF A MEMORANDUM FROM EARL SILBERT, PRINCIPAL ASSISTANT U.S. ATTORNEY, WHICH INDICATED THAT THE OFFICE OF DANIEL ELLSBERG'S PSYCHIATRIST HAD BEEN BURGLARIZED BY GORDON LIDDY AND HOWARD HUNT. THE NEXT SESSION OF COURT

JUN 21 1974

END PAGE ONE

70 JUL 1 1974

WAS ON APRIL 30, 1973, AND THE PRESS COVERAGE MORE THAN TRIPLED. THE SAME PRESS COVERAGE WAS IN EXISTENCE ON MAY 1, 1973, AND IT WOULD BE IMPOSSIBLE FOR THE LOS ANGELES DIVISION TO ASCERTAIN WHEN THE INFORMATION CONTAINED IN THE FD-302 OF THE INTERVIEW OF JOHN ERLICHMAN WAS FIRST REPORTED BY THE RADIO, PRESS OR WIRE SERVICES.

ADMINISTRATIVE: RE WFO TELETYPE JUNE 19, 1974. per JTG 9

THE OFFICIAL TRANSCRIPT IN THE ELLSBERG CASE IS DOUBLE [redacted]PACED AND WAS REVIEWED BY [redacted] SINCE COURT COVENED AT TEN TEM AM, [redacted] THAT NO MORE THAN THREE MINUTES ELASPED UNTIL JUDGE BYRNE RELEASED THE FD-302 OF THE INTERVIEW OF JOHN ERLICHMAN TO THE DEFENSE.

END

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

JUN 19 1974

TELETYPE

Assoc. Dir.	
Dep.-A.D.-Adm.	
Dep.-A.D.-Inv.	
Asst. Dir.:	
Admin.	
Comp. Syst.	
Ext. Affairs	
Files & Com.	
Gen. Inv.	
Ident.	
Inspection	
Inteli.	
Laboratory	
Plan. & Eval.	
Spec. Inv.	
Training	
Legal Coun.	
Telephone Rm.	
Director Sec'y	

NR 005 WF CODED

509 PMNITEL JUNE 19, 1974 WWC

TO: DIRECTOR, FBI (65-74060) AND
SAC, LOS ANGELES (105-27952)

FROM: SAC, WFO (65-11613) (P) (2P)

ATTENTION INTD.

MC LEK

OFFICE OF SPECIAL WATERGATE PROSECUTOR DESIRES TO ESTABLISH EXACT TIME ON MAY 1, 1973 WHEN TEXT OF WFO'S FD 302, DATED APRIL 30, 1973, INTERVIEW OF JOHN EHRLICHMAN WAS MADE AVAILABLE TO DEFENSE BY U.S. DISTRICT COURT JUDGE, W. MATT BYRNE, JR., EXACTLY WHEN THAT INFORMATION BECAME AVAILABLE TO NEWS MEDIA AND EXACTLY WHEN IT WAS FIRST REPORTED BY RADIO, IN THE PRESS AND BY WIRE SERVICE THERE. ST-101 REC-25 65-74060-4769

WFO FILES MERELY SHOW LOS ANGELES DATE LINE OF MAY 1, 1973. FD 302 IN QUESTION FURNISHED LOS ANGELES AS ENCLOSURE TO WFO AIRTEL, APRIL 30, 1973, UNDER ABOVE CAPTION. SUTEL BY JUNE 21, 1974.

ADMINISTRATIVE: ASSISTANT WATERGATE PROSECUTOR BREYER HINGES IMPORT TO TIMING OF PUBLIC RELEASE OF ABOVE MENTIONED

END PAGE ONE

7 JUL 1 1974

WFO handled advising Breyer, SPO 6/21/74 inst

FD 302 IN CONNECTION WITH OBJECTION RAISED BY EHRLICHMAN IN WFO'S FD 302 OF MAY 1, 1973, IN SAME CASE AND FORWARDED BY AIRTEL, MAY 1, 1973.

END

FD-36 (Rev. 5-22-64)

FBI

Date: 6/26/74

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

Assoc. Dir. ___
Dep.-A.D.-Adm. ___
Dep.-A.D.-Inv. ___
Asst. Dir.:
Admin. ___
Comp. Syst ___
Ext. Affa ___
Files & ___
Gen. In ___
Ident. ___
Inspec ___
Intell. ___
Laborat ___
Plan. & Eval. ___
Spec. Inv. ___
Training ___
Legal Coun. ___
Telephone Rm. ___
Director Sec'y ___

TO: DIRECTOR, FBI (65-74060) ATTN: INTD

FROM: SAC, WFO (65-11613)(P)

MC LEK

Re WFO airtel dated 6/17/74.

This is to advise that on 6/25/74, SAs [redacted] of FBIHQ met in a pretrial conference with CHARLES BREYER, Office of the Special Watergate Prosecutor, concerning the FD-302s submitted by them in captioned case on April 30 and May 1, 1973, which set forth the results of interviews of JOHN D. EHRLICHMAN.

Later the same day, SAs [redacted] together with BREYER, who was present at their request, met in a 25 minute pretrial conference with attorneys WILLIAM FRATES and HENRY JONES, both of whom are representing EHRLICHMAN in the case of the United States v. EHRLICHMAN, et al, which is set to be heard in U. S. District Court, Washington, D. C. (WDC), on 6/26/74.

BREYER, mentioned above, advised SAs [redacted] that they need not appear in court on 6/26/74; he indicated they would be provided sufficient notice before being called to testify in the above case. BREYER felt there would be no call for either agent before the second week in July.

The Bureau will be kept advised of pertinent developments in this case.

2 - Bureau
1 - WFO

HWS:nsw
(3)

REC-1 65-74060-4771

EX-110

5 JUN 28 1974

Approved: _____ Sent _____ M Per _____

Special Agent in Charge

84 JUL 5 1974

U.S.Government Printing Office: 1972 — 455-574

FD-36 (Rev. 5-22-64)

FBI

Date: 6/3/74

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

Assoc. Dir.	
Dep.-A.D.-Adm.	
Dep.-A.D.-Inv.	
Asst. Dir.:	
Admin.	
Comp. Syst.	
Ext. Affairs	
Files & Com.	
Gen. Inv.	
Ident.	
Inspection	
Intell.	
Laboratory	
Plan. & Eval.	
Spec. Inv.	
Training	
Legal Coun.	
Telephone Rm.	
Director Sec'y	

TO: DIRECTOR, FBI (139-4089)

FROM: SAC, WFO (139-166) (P)

JAMES WALTER MC CORD, JR., aka;
CHARLES W. COLSON, ET AL;
BURGLARY DEMOCRATIC NATIONAL
COMMITTEE HEADQUARTERS, WDC
6/17/72
IOC; PERJURY; OOJ
CONSPIRACY
(OO:WFO)

JOHN D. EHRLICHMAN;
CHARLES W. COLSON, ET AL;
CR-CONSPIRACY
OOJ
(OO:WFO)

65-74060

For information of the Bureau, LEON JAWORSKI, WSPO, today filed an Information charging CHARLES W. COLSON with one count of violation Title 18, Section 1503, U.S. Code. This charge grows out of the EHRLICHMAN, ET AL matter.

The Information was filed before Judge GERHARD GESELL. COLSON entered a guilty plea to the charge. In exchange for his plea and his co-operation, all other charges against COLSON were dismissed. Those charges dismissed also involve COLSON's involvement in the JOHN N. MITCHELL, ET AL matter.

NOT RECORDED
192 JUN 11 1974

COLSON remained free on personal recognizance pending a pre-sentence investigation.

NOT RECORDED
192 JUN 11 1974

(3) Bureau
2-WFO
(1-44-991)

AJL:clm
(5)

ORIGINAL FILED IN

MCS 5 JUN 14 1974

Sent _____ M Per _____

1 - Mr. R. E. Gebhardt
1 - Mr. W. R. Wannall

June 14, 1974

BY COURIER SERVICE

1 - Mr. W. W. Hamilton

pecial Prosecution Force
. S. Department of Justice

Director, FBI

ELECTRONIC SURVEILLANCE - UNITED STATES v. EHRLICHMAN, ET AL, CRIMINAL NO. 74-116

Reference is made to your memorandum dated June 3, 1974, captioned as above, wherein you requested that this Bureau advise whether any of the individuals listed below have been overheard in the period of June 15, 1971, until the present as a result of any electronic surveillance. You also requested that this Bureau report to you any instances of surreptitious entry onto any premises owned, leased or licensed by these individuals as well as any electronic surveillance directed at premises owned, leased or licensed by these individuals:

Bernard Barker, Eugenio Martinez, Daniel E. Schultz, Henry Rothblatt, G. Gordon Liddy and John D. Ehrlichman.

A search of appropriate files and records of this Bureau has not revealed any information which would indicate that any of the above individuals have been overheard on any electronic device monitored by this Bureau. Also, there is no record that this Bureau has directed any electronic surveillance at premises owned, leased or licensed by these individuals nor is there any record of surreptitious entry onto any premises owned, leased or licensed by these individuals.

Enclosed is an affidavit executed by Special Agent [redacted] attesting to the above information.

WILLIAM W. HAMILTON

Enclosure

65-74060-4772X1

MCT-20 REC-31

WWH:mjg
(6)

ENCLOSURE

CH 41

EX-112 18 JUN 20 1974

NOTE:

Above is in response to request of Special Prosecutor to Director dated 6/3/74.

BY COURIER SVC.
JUN 14 P.M.
FBI

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.: ____
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
Gen. Inv. ____
Ident. ____
Inspection ____
Intell. ____
Laboratory ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

84 JUL 1 1974 MAIL ROOM ☑ TELETYPE UNIT ☐

NRO13 WA CODE

7CPTPM IMMEDIATE 7-10-71 DEB

TO BOSTON

CHICAGO

LOS ANGELES

NEW HAVEN

NEW YORK

SAN FRANCISCO

WASHINGTON FIELD

FROM DIRECTOR (94-74060) 2P

MC LEK (NATIONALITIES INTELLIGENCE).

INTERNAL SECURITY DIVISION OF DEPARTMENT HAS REQUESTED CHECK OF SPECIAL INDICES REGARDING FOLLOWING INDIVIDUALS IN CONNECTION WITH INVESTIGATION BEING CONDUCTED REGARDING LEAK OF CLASSIFIED INFORMATION TO "THE NEW YORK TIMES":

[redacted]

END PAGE ONE

66-779 Sub G-45

SEARCHED INDEXED

SERIALIZED FILED

65-74060-4

7 JUL 09 PM '71

ENCLOSURE

CHECK OF BUREAU SPECIAL INDICES UNDER ABOVE NAMES NEGATIVE WITH RESPECT TO GELB. HOWEVER, REFERENCES LOCATED ON OTHERS WHICH MAY OR MAY NOT BE IDENTICAL. RECIPIENTS CONDUCT APPROPRIATE ELECTRONIC SURVEILLANCE CHECK ON EACH OF THE ABOVE INDIVIDUALS IN ORDER TO ANSWER SPECIFIC QUESTIONS SET FORTH IN DEPARTMENTAL MEMORANDUM DATED APRIL SIXTEEN, NINETEEN SIXTY-NINE, CAPTIONED "ELECTRONIC SURVEILLANCES, [redacted]" IN YOUR RESPONSE TO BUREAU, KEY YOUR ANSWERS TO CORRESPOND WITH QUESTIONS A THROUGH F IN THE DEPARTMENTAL MEMORANDUM. IF CHECK OF INDICES NEGATIVE, SUTEL IMMEDIATELY. IF DATA LOCATED, YOUR RESPONSE MUST REACH BUREAU NO LATER THAN CLOSE OF BUSINESS JULY TWELVE NEXT AND SHOULD INCLUDE ONE TRUE COPY OF LOGS COVERING MONITORED CONVERSATIONS AND ONE TRUE COPY OF LOGS OF ANY OF THE PREMISES IN WHICH ABOVE INDIVIDUALS ARE OR WERE THE OWNERS, LESSEES, OR LICENSEES. FURNISH ONE COPY OF ANY COMMUNICATIONS WHICH EXPAND OR SUMMARIZE PORTIONS OF THE CONVERSATIONS CONTAINED IN THE LOGS OR WHICH DEMONSTRATE PERTINENT LEADS WHICH MAY HAVE COME FROM THE ELECTRONIC SURVEILLANCE. INSURE THE LOGS ARE CAREFULLY REVIEWED PRIOR TO TRANSMITTAL TO BUREAU AND THAT INSTRUCTIONS CONCERNING ELECTRONIC SURVEILLANCE CHECKS AS SET FORTH IN SAC LETTER SIX NINE - FOUR THREE, DATED AUGUST THIRTEEN, NINETEEN SIXTY-NINE, ARE ADHERED TO.

END

yea w/o

FD-36 (Rev. 5-22-64)

FBI

Date: 7/7/71

Transmit the following in CODE
(Type in plaintext or code)

Via TELETYPE IMMEDIATE
(Priority)

004

TO: DIRECTOR, FBI (65-74060) Attention DID
SAC, LOS ANGELES (105-27952)
SAC, BOSTON (65-5236)
SAC, NEW YORK (65-25641)
SAC, ALEXANDRIA

FROM: SAC, WFO (65-11613)

MC LEK - NATIONALITIES INTELLIGENCE. - SUMMARY

RE BUREAU TELETYPES JULY SIX AND JULY FIVE LAST CONTAINING REQUESTS OF DEPARTMENT RELATING TO GRAND JURY PRESENTATION BOSTON; NEW YORK TELETYPE JULY SIX LAST; BOSTON TELETYPE JULY SEVEN INSTANT.

CHECK OF WASHINGTON FIELD OFFICE (WFO) SPECIAL INDICES CONCERNING ELECTRONIC SURVEILLANCES UNDER NAMES OF DANIEL ELLSBERG, DANIEL ELLSBURG, DOCTOR DANIEL ELLSBERG, AND DOCTOR DANIEL ELLSBURG, NEGATIVE.

REGARDING REQUIREMENT NUMBER NINE IN RE BUREAU TELETYPE, JULY FIVE LAST, RELATING TO TOLL RECORDS OF NEIL AND SUSAN SHEEHAN, ARRANGEMENTS HAVE BEEN MADE WITH THE CHESAPEAKE AND POTOMAC TELEPHONE COMPANY, WASHINGTON, D. C. (WDC) FOR

65-111613-2715

(1) WFO
ECR:mah (1)

65-74060-4773

ENCLOSURE

Approved: Sent 4:50 M Per

FD-36 (Rev. 5-22-64)

FBI

Date:

Transmit the following in _____ (Type in plaintext or code)

Via _____ (Priority)

WFO 65-11613
PAGE TWO

PRODUCTION OF AVAILABLE TOLL RECORDS RELATING TO TELEPHONE NUMBER THREE SIX THREE DASH THREE FOUR THREE THREE, SUBSCRIBED TO BY NEIL SHEEHAN, FOUR FIVE ZERO FIVE KLINGLE STREET, N.W., WDC. CHESAPEAKE AND POTOMAC TELEPHONE COMPANY EXPECTS RECOVERY OF TOLL RECORDS DATING BACK APPROXIMATELY SIX TO EIGHT MONTHS AND IS HOPEFUL THEY COULD BE AVAILABLE UPON PRODUCTION OF A SUBPOENA BY JULY NINE NEXT. CHESAPEAKE AND POTOMAC TELEPHONE COMPANY REQUESTS SUBPOENA BE DIRECTED TO THE CHESAPEAKE AND POTOMAC TELEPHONE COMPANY, NINE THREE ZERO H STREET, N.W., WDC, REQUESTING ALL AVAILABLE TOLL RECORDS CONCERNING NEIL SHEEHAN AT ABOVE MENTIONED RESIDENCE AND TELEPHONE NUMBER. IN ACCORDANCE WITH DEPARTMENTAL REQUEST AND BUREAU INSTRUCTIONS CONTAINED IN RE BUREAU TELETYPE JULY FIVE LAST, BOSTON IS REQUESTED TO CONTACT DEPARTMENTAL ATTORNEY HANDLING FEDERAL GRAND JURY PROCEEDINGS AT BOSTON REGARDING THE ISSUANCE OF APPROPRIATE SUBPOENA. OF W. REFERENCED NEW YORK TELETYPE REQUESTS CONTACT WITH ALLE-

Approved: _____ Sent _____ M Per _____

Special Agent in Charge

U.S. GOVERNMENT PRINTING OFFICE: 1971—413-135

FD-36 (Rev. 5-22-64)

FBI

Date:

Transmit the following in _____ (Type in plaintext or code)

Via _____ (Priority)

GHENY AIRLINES, WASHINGTON NATIONAL AIRPORT, TO OBTAIN ADDITIONAL PARTICULARS CONCERNING ELLSBERG'S PURCHASE ON NOVEMBER THIRTY, NINETEEN SEVENTY OF ALLEGHENY AIRLINES TICKET NUMBER ZERO THREE SEVEN DASH ONE SIX EIGHT DASH ZERO TWO NINE ONE SEVEN FOUR. ALEXANDRIA OFFICE WAS TELEPHONICALLY REQUESTED THIS DATE TO OBTAIN DESIRED INFORMATION FROM THE ALLEGHENY AIRLINES INCLUDING DETAILS CONCERNING LOCATION OF ORIGINAL RECORDS AND IDENTITY OF PROPER PERSON TO WHOM SUBPOENA CAN BE ISSUED. ALEXANDRIA WAS INSTRUCTED TO REPORT RESULTS BY TELETYPE AND FOLLOW WITH APPROPRIATE FD THREE ZERO TWO TO REFERENCED BOSTON TELETYPE REPORTS REQUEST OF PAUL VINCENT, DEPARTMENTAL ATTORNEY BOSTON, THAT A REVIEW OF DEPARTMENT OF DEFENSE (DOD) INVESTIGATION INVOLVING ELLSBERG AND TERMINATED BY SECRETARY OF DEFENSE BE CONDUCTED. AS REPORTED IN WFO SUMMARY TELETYPE JULY SIX LAST, WFO WAS ADVISED BY THE OFFICE OF [illegible] DONALD STEWART, CHIEF, INVESTIGATION DIVISION, DIRECTORATE

Approved: _____ Sent _____ M Per _____

FD-36 (Rev. 5-22-64)

FBI

Date:

Transmit the following in _____ (Type in plaintext or code)

Via _____ (Priority)

FOR INSPECTION SERVICES, OFFICE OF SECRETARY OF DEFENSE, THAT STEWART HAD PERSONAL POSSESSION OF THE DOD FILE IN QUESTION AND THAT HE HAD MADE PERSONAL ARRANGEMENTS TO FURNISH A COPY OF THE COMPLETE FILE TO OFFICIALS OF THE DOMESTIC INTELLIGENCE DIVISION, FBI, ON JULY SIX LAST. UNLESS ADVISED TO THE CONTRARY BY THE BUREAU, WFO WILL NOT MAKE FURTHER EFFORTS TO REVIEW THE DOD FILE IN ABSENCE OF A REQUEST OF THE BUREAU, SINCE TO DO SO WOULD APPEAR A DUPLICATION OF EFFORT.

CONCERNING REQUIREMENT NUMBER TWENTY-THREE IN RE BUREAU TELETYPE JULY FIVE LAST, WFO INDICES CONTAIN SEVERAL REFERENCES TO [redacted] BUT NONE INDICATE ANY RELATIONSHIP BETWEEN [redacted] DANIEL ELLSBERG.

FOR INFORMATION OF BUREAU AND RECIPIENT OFFICES, WASHINGTON FIELD OFFICE MONITORING OF DEPOSITS MADE TO THE ACCOUNT OF THE PEOPLE'S COALITION FOR PEACE AND JUSTICE IN THE PUBLIC NATIONAL BANK, WDC, DISCLOSED A DEPOSIT ON MAY THIRD LAST BASED

Approved: _____ Sent _____ M Per _____

Special Agent in Charge

☆ U.S. GOVERNMENT PRINTING OFFICE: 1971—413—139

FD-36 (Rev. 5-22-64)

F B I.

Date:

Transmit the following in _____ (Type in plaintext or code)

Via _____ (Priority)

UPON A QUOTE WIRE TRANSFER ENQUOTE FROM THE NATIONAL SHAWMUT BANK, BOSTON, MASSACHUSETTS IN THE ACCOUNT OF QUOTE PATRICIA ELLSBERG ENQUOTE. THE RECORDS CONTAINED NOTHING ADDITIONAL WHICH WOULD IDENTIFY THE CONTRIBUTOR, PATRICIA ELLSBERG, AS THE WIFE OF DANIEL ELLSBERG. THE ABOVE INFORMATION CANNOT BE MADE PUBLIC EXCEPT UPON THE ISSUANCE OF A SUBPOENA DUCES TECUM.

IT IS NOTED THAT THE PEOPLE'S COALITION FOR PEACE AND JUSTICE WAS SELF-DESCRIBED IN A PRESS RELEASE OF MARCH FIRST LAST AS BEING HEADQUARTERED IN WDC AND CONSISTING OF OVER ONE HUNDRED ORGANIZATIONS WHICH ARE USING MASSIVE, NON-VIOLENT CIVIL DISOBEDIENCE TO COMBAT RACISM, POVERTY, REPRESSION AND WAR.

Approved: _____ Sent _____ M Per _____

NR033 WA CODE

650PM URGENT 7-6-71 KPT

TO BOSTON

NEW YORK

WASHINGTON FIELD OFFICE

LOS ANGELES

FROM DIRECTOR (64-74060) (3P)

MC LEK (NATIONALITIES INTELLIGENCE)

ASSISTANT ATTORNEY GENERAL, INTERNAL SECURITY DIVISION, OF DEPARTMENT BY LETTER, DATED JULY TWO NINETEEN SEVENTY-ONE, CLASSIFIED "SECRET" REQUESTED CHECK OF SPECIAL INDICES REGARDING DANIEL ELLSBERG WHO WAS RECENTLY INDICTED FOR VIOLATION OF TITLE EIGHTEEN, USC, SECTION SEVEN NINE THREE E AND OTHER SECTIONS OF USC.

CHECK OF BUREAU SPECIAL INDICES UNDER NAMES OF DANIEL ELLSBERG, DANIEL ELLSBURG, DR. DANIEL ELLSBERG AND DR. DANIEL ELLSBURG NEGATIVE.

RECIPIENTS CONDUCT APPROPRIATE ELECTIONIC SURVEILLANCE CHECK IN ORDER TO ANSWER SPECIFIC QUESTIONS SET FORTH IN

END PAGE ONE

65-116113-256

SEARCHED INDEXED

SERIALIZED FILED

JUL 6 6 58 PM '71

FBI - WASH. D.C.

ENCLOSURE

62-94660-4773

DEPARTMENTAL MEMORANDUM, DATED APRIL SIXTEEN NINETEEN SIXTY-NINE, CAPTIONED "ELECTRONIC SURVEILLANCES, [redacted] ET AL." IN YOUR REPONSE TO BUREAU KEY YOUR ANSWERS TO CORRESPOND WITH QUESTIONS A THROUGH F IN THE DEPARTMENTAL MEMORANDUM. IF CHECK OF INDICES NEGATIVE,SUTEL IMMEDIATELY. IF DATA LOCATED, YOUR RESPONSE MUST REACH BUREAU NO LATER THAN CLOSE OF BUSINESS JULY NINE, NINETEEN SEVENTY-ONE, AND SHOULD INCLUDE ONE TRUE COPY OF LOGS COVERING MONITORED CONVERSATIONS AND ONE TRUE COPY OF LOGS OF ANY OF THE PREMISES IN WHICH ELLSBERG IS OR WAS THE OWNER, LESSEE OR LICENSEE. FURNISH ONE COPY OF ANY COMMUNICATIONS WHICH EXPAND OR SUMMARIZE PORTIONS OF THE CONVERSATIONS CONTAINED IN THE LOGS OR WHICH DEMONSTRATE PERTINENT LEADS WHICH MAY HAVE COME FROM THE ELECTRONIC SURVEILLANCE. INSURE THE LOGS ARE CAREFULLY REVIEWED PRIOR TO TRANSMITTAL TO BUREAU.

BOSTON AND/OR LOS ANGELES IDENTIFY ATTORNEYS OF RECORD REGARDING ELLSBERG AND ADVISE BUREAU AND INTERESTED OFFICES. IN THIS REGARD RECIPIENTS INSURE THAT INSTRUCTIONS CONCERNING ELECTRONIC SURVEILLANCE CHECKS AS SET FORTH IN SAC LETTER [redacted] DATED AUGUST THIRTEEN, NINETEEN SIXTY-NINE, ARE ADHERED TO. MAKE CERTAIN PROCEDURES TO BE

FOLLOWED TO INSURE AGAINST MONITORING OUR DEFENDANT'S ATTORNEY OR DEFENSE ATTORNEY'S STRATEGY CONVERSATIONS ARE ADHERED TO.

END

GO TO TALK

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir. ✓
Dep. AD Adm. —
Dep. AD Inv. —
Asst. Dir.:
Admin. —
Comp. Syst. —
Ext. Affairs —
Files & Com. —
Gen. Inv. —
Ident. —
Inspection ✓
Intell. —
Laboratory —
Plan. & Eval. —
Spec. Inv. —
Training —
Legal Coun. —
Telephone Rm. —
Director Sec'y —

TO : MR. CALLAHAN

DATE: June 17, 1974

FROM : O. T. JACOBSON

SUBJECT: DANIEL ELLSBERG
ELECTRONIC SURVEILLANCE

CONFIDENTIAL

Reference is made to my memorandum as captioned 6/14/74, advising that Mr. Henry Ruth and Mr. Frank Martin of the Watergate Special Prosecutor's Office (SPO) contacted me on 6/14/74 concerning possible interviews the SPO would request be conducted of Bureau personnel in connection with captioned matter. At that time the SPO representatives were not aware nor had they seen the results of our inquiry including interviews with 12 current or former Agent personnel which were furnished to James A. Wilderotter, Associate Deputy Attorney General, by Bureau letter 6/13/74, with a copy being designated for the SPO. Messrs. Ruth and Martin stated they would review this material and then formulate a written document to the Bureau setting forth request for further interviews.

On 6/17/74 Mr. Frank Martin telephonically advised that they had received and reviewed the results of the interviews conducted by the FBI concerning this matter and stated the information was very helpful. Mr. Martin advised that the interviews did refer to several Bureau communications which were not forwarded to the SPO and identified these communications as follows:

Bureau teletype to Boston, New York, Washington Field Office and Los Angles dated 7/6/71

Washington Field Office teletype to Bureau dated 7/7/71

Bureau teletype to Boston, Chicago, Los Angeles, New Haven, New York, San Francisco, and Washington Field Office dated 7/10/71

REC-31 65-74060-4113

EX-101

Washington Field Office airtel to Bureau dated 7/12/71

[redacted]

CONFIDENTIAL

1 - Messrs. Miller, Gebhardt, Mintz, Walsh, Wannall

Enclosures
JAC:bhg
(7)

1 ENCLOSURE 65-74060

CONTINUED - OVER

LED/EGM 5/19/77

Memorandum to Mr. Callahan
Re: Daniel Ellsberg

[redacted]

During the course of the inquiries conducted by the Inspection Division during the week of 6/2/74 copies of the above-cited intra-FBI communications were obtained from Washington Field Office and are attached for information and reference.

RECOMMENDED ACTION

None at this time pending receipt of official written request from the SPO for copies of these documents. At such time as such request is received the Intelligence Division should handle.

[redacted]

[redacted] CONFIDENTIAL

EX-101

1 - Mr. R. E. Gebhardt
1 - Mr. W. R. Wannall
1 - Mr. W. W. Hamilton

June 28, 1974

Special Prosecution Force
U. S. Department of Justice

REC-31 62-74060-4113

Director, FBI

BY COURIER SERVICE

NATIONAL SECURITY WIRETAPS

Reference is made to telephone conversation on June 17, 1974, between Assistant Director Odd T. Jacobson of this Bureau and Mr. Frank Martin of your office wherein Mr. Martin requested that this Bureau furnish copies of certain FBI communications. Reference is also made to your memorandum dated June 17, 1974, confirming the above request.

Pursuant to Mr. Martin's request, there are enclosed herewith one Xerox copy of the following FBI communications:

1. FBI Headquarters (FBIHQ) teletype to Boston, New York, Washington Field Office and Los Angeles dated July 6, 1971.

2. Washington Field Office teletype to FBIHQ dated July 7, 1971.

3. FBIHQ teletype to Boston, Chicago, Los Angeles, New Haven, New York, San Francisco, and Washington Field Office dated July 10, 1971.

4. Washington Field Office airtel to FBIHQ dated July 12, 1971.

It is noted that item four described above has been edited to delete references to sensitive techniques utilized by this Bureau in the foreign intelligence field. Pages two, four and five of item four have been completely deleted in this regard as they contain sensitive information, none of which is germane to your request.

Enclosures (4)

BY COURIER SVC.
JUN 28 P.M.
FBI

WWH:mjg
(6)

SEE NOTE PAGE TWO

Assoc. Dir.
Dep. AD Adm.
Dep. AD Inv.
Asst. Dir.:
Admin.
Comp. Syst.
Ext. Affairs
Files & Com.
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
Plan. & Eval.
Spec. Inv.
Training
Legal Coun.
Telephone Rm.
Director Sec'y

58 JUL 1 1974

MAIL ROOM ☑ TELETYPE UNIT ☐

FSP/SSM/rsd

Special Prosecution Force
U. S. Department of Justice

NOTE:

Reference is made to memorandum of Jacobson to Callahan dated 6/17/74 which refers to a telephone conversation between Mr. Jacobson and Frank Martin of SPO wherein Martin requested copies of communications described above. Mr. Jacobson advised Martin to submit a written request and the above described documents are being furnished to SPO in compliance with their request to Director dated 6/17/74.

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir. ___
Dep. AD Adm. ___
Dep. AD Inv. ___
Asst. Dir.: ___
Admin. ___
Comp. Syst. ___
Ext. Affairs ___
Files & Com. ___
Gen. Inv. ___
Ident. ___
Inspection ___
Intell. ___
Laboratory ___
Plan. & Eval. ___
Spec. Inv. ___
Training ___
Legal Coun. ___
Telephone Rm. ___
Director Sec'y ___

TO: Mr. Jenkins

DATE: 6/11/74

FROM: Mr. McDermott

SUBJECT: HENRY KISSINGER
SECRETARY OF STATE
"NEW YORK TIMES" STORY 6/12/74
ALLEGED USE OF AN FBI REPORT

ADIC Malone contacted my office this date to advise that an SAC source of the New York Office had advised him this date that the "New York Times" would publish a story on Henry Kissinger on 6/12/74 dealing with wiretaps. This source also related that the story would be upsetting to Kissinger. He stated that the basis for the story would be "an FBI report."

Malone advised that he would attempt to obtain an early copy of the "Times" and furnish the alleged story to the Bureau.

RECOMMENDATION

For information.

1 - Mr. McDermott
1 - Mr. Heim
1 - Mr. Malmfeldt

TJH:asg
(4)

EX-111

1 REC-5 65-74060-4774

16 JUN 28 1974

54 JUL 9 1974

FD-36 (Rev. 5-22-64)

FBI

Date: 7/5/74

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

Assoc. Dir.
Dep.-A.D.-Adm
Dep.-A.D.-Inv.
Asst. Dir.:
Admin.
Comp. Syst.
Ext. Affairs
Files & Com.
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
Plan. & Eval.
Spec. Inv.
Training
Legal Coun.
Telephone Rm.
Director Sec'y

TO: DIRECTOR, FBI (65-74060) ATTN: INTD

FROM: SAC, WFO (65-11613) (C)

MC LEK

ReWFO airtel 6/26/74

This is to advise that on 7/3/74, SA [redacted] OF FBIHQ testified in U. S. District Court, WDC, in the case of the "U. S. versus EHRLICHMAN, ET AL." The corroborative testimony of SA [redacted] of WFO was not required. Following SA [redacted] testimony, both agents were dismissed by CHARLES BREYER of the Office of the Special Watergate Prosecutor.

Inasmuch as there is no further investigative interest in captioned matter in WFO at this time, the case is being considered closed.

REC-73 65-74060-4775

EX-117

(2) Bureau
1- WFO

HWS:rag
(3)

15 JUL 9 1974

54 JUL 16 1974

Approved: _____ Sent _____

FD-36 (Rev. 5-22-64)

FBI

Date: 6/24/74

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

TO: DIRECTOR, FBI

FROM: SAC, WFO (44-991)(P)

JOHN D. EHRLICHMAN;
ET AL;
CIVIL RIGHTS - CONSPIRACY;
FALSE DECLARATIONS;
ESP
(OO:WFO)

RECEIVED
DEVELOPED
PRINTED
ENLARGEMENTS
INTERNEGATIVES
SLIDES
COPIED
INSPECTED

Enclosed for the Bureau are 2 envelopes, one containing portions of a 1973 calendar reflecting the months of January through June, 1973, and the other containing portions of a calendar reflecting the months of July through September, 1971.

BACKGROUND OF CASE:

On 6/24/74, Assistant Special Prosecutor CHARLES R. BREYER, Watergate Special Prosecutor's Office (WSPO), 1425 K Street, N.W., Washington, D.C. (WDC), advised that the trial of former Presidential Aide JOHN D. EHRLICHMAN in connection with the burglary of the office of Dr. FIELDING is scheduled to begin on 6/26/74.

ST-114 REC-14 94-60483-95

Mr. BREYER requested that, as a prosecutive aid, he be furnished with an enlargement of a calendar reflecting the months of July, August, and September, 1971, alongwith an enlargement of a calendar reflecting the months of January through June, 1973. The purpose of these enlarged calendars will be for display to the jury.

REQUEST OF THE BUREAU:

65-74060-4776

The Photo Unit is requested to enlarge the enclosed calendar portions in conformance with the above request. If ~~feasible, the size 40 by 60 inches will be adequate.~~

JUN 28 1974

2 - Bureau (Enc. 2)
2 - WFO (44-74-290)
CWH:cwh
(4)

Sent _____ M Per _____

Special Agent in Charge

U.S.Government Printing Office: 1972 — 455-574

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

1 - Mr. R. E. Gebhardt
1 - Mr. W. R. Wannall
1 - Mr. W. W. Hamilton

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.: ____
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
Gen. Inv. ____
Ident. ____
Inspection ____
Intell. ____
Laboratory ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

TO : Mr. W. R. Wannall

DATE: 7/10/74

FROM : F. S. Putman, Jr.

SUBJECT: U.S. vs JOHN EHRLICHMAN, ET AL.
TESTIMONY OF FBI AGENTS

SA Charles A. Regan, Division 5, recently testified in the trial of John Ehrlichman, former White House aide, concerning interviews of Ehrlichman conducted on 4/27/73 and 5/1/73 by Regan and [redacted] presently assigned WFO.

SA EDWARD GRAMPP

"Washington Star News" article dated 7/8/74 sets forth information concerning Ehrlichman's testimony in his own behalf in which he stated that he was first interviewed by the FBI regarding the burglary of the office of Daniel Ellsberg's psychiatrist on 4/29/73 rather than 4/27/73. Article further states that a copy of the FBI's report of that interview was introduced into evidence and is dated 4/27/73.

SA Regan has confirmed that the dates of interview were actually 4/27/73 and 5/1/73 and FD-302s reflect these dates. SA Regan also advised that during his pretrial interview with the Special Prosecutor's Office, the Special Prosecutor furnished to him a copy of a memorandum prepared by Ehrlichman which is dated 4/27/73 and in which Ehrlichman states in the first paragraph, "I gave about a five minute interview to FBI agents Edward Grampp and Charles Regan of the Washington field office of the FBI at approximately 4:30-4:35 ending at 4:40 p.m. this date." Further in the memorandum Ehrlichman states, "I have just completed dictating this memorandum at 4:47 p.m. of the same day."

MCT REC-31 65-74060-4177

From the above it is obvious that Ehrlichman is erroneous in his claim to have been interviewed on 4/29/73.

EX-112

2 JUL 16 1974

ACTION:

None. For information.

65-74060

WWH:sjg
(4)

ENCLOSURE

XEROX

JUL 29 1974

58 AUG 1974

0-19 (Rev. 1-30-74)

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.:
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
Gen. Inv. ____
Ident. ____
Inspection ____
Intell. ____
Laboratory ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

Ehrlichman Takes Stand, Disputes Key Testimony

By Barry Kalb
Star-News Staff Writer

Former presidential assistant John D. Ehrlichman, taking the stand in his own defense today in the Ellsberg burglary trial, disputed every major point in the prosecution's case including the date of an interview he had with the FBI.

Ehrlichman's demeanor on the witness stand was markedly different from the contentious manner he demonstrated to a national television audience last summer while testifying before the Senate Watergate committee.

Today, he was low-keyed, earnest, even humble. He smiled and gestured frequently at the jury of six men and six women who later this week will decide whether he is guilty of conspiracy, lying to the FBI and perjury.

In his direct examination by Henry H. Jones, one of his attorneys, Ehrlichman made these key assertions:

● He said he was first interviewed by the FBI, regarding the burglary of the office of Daniel Ellsberg's psychiatrist, on April 29, 1973. A copy of the FBI's report of that interview, which has been introduced into evidence before U.S. District Judge Gerhard A. Gesell, is dated April 27, 1973.

● He said former White House aide David R. Young, of his own volition, gave Erhlichman the files regarding the White House investigation of Ellsberg on March 21 or 22, 1973. He said he never examined those files at that time.

Young had testified that Ehrlichman asked for the files, and that he gave them to Ehrlichman on March 26, and discussed them with Ehrlichman the following day. Young testified that Ehrlichman removed several documents implicating him in the break-in from the files.

● He said that he could not recall calling then-deputy CIA Director Robert E. Cushman Jr. on July 7, 1971, to request CIA aid for E. Howard Hunt Jr., who had just joined the White House staff.

Cushman testified last week that Ehrlichman had called him on that date to ask for help for Hunt, and produced notes that his secretary had made the same day of the telephone call.

See PLUMBERS, A-4

The Washington Post ____
Washington Star-News A-1
Daily News (New York) ____
The New York Times ____
The Wall Street Journal ____
The National Observer ____
The Los Angeles Times ____

Date 7-8-74

65-74060 — 47717

ENCLOSURE

He said he had absolutely no recollection of asking former presidential aide Charles W. Colson to obtain $5,000 to finance what turned out to be the break-in at the office of Dr. Lewis J. Fielding, Ellsberg's former psychiatrist.

Colson testified last week that Ehrlichman called him in the last days of August or the first days of September 1971 and asked him to obtain the $5,000 quickly for former White House aide Egil Krogh Jr., leader of the White House "plumbers" unit, which carried out the burglary on Sept. 3, 1971.

IN ADDITION to challenging the accuracy of key points in the prosecution's case, Ehrlichman set the points in a different perspective.

Korgh, who has admitted his part in the burglary and has already served a prison sentence, testified that he spoke with Ehrlichman on April 27, 1973, the day the burglary first became public knowledge.

Ehrlichman, Krogh testified, said he had been interviewed by the FBI that day, and told Krogh that he had had to "dissemble a bit" in the interview.

UESTIONING Ehrlichman, Jones produced a transcript of a May 2, 1973, telephone conversation between Ehrlichman and Krogh, which Ehrlichman taped without Krogh's knowledge.

In response to a question, Ehrlichman said there was no reference in that May 2 conversation to his "dissembling" to the FBI.

Associate Special Prosecutor William H. Merrill rose to object that Krogh said the "dissembling" quote came on April 27, not May 2.

Ehrlichman then said that he could not have told Krogh on April 27 about his conversation with the FBI, because he had not been interviewed by the agency for the first time until two days later.

A copy of the first FBI interview with Ehrlichman was made public in early May 1973, and has been referred to many times since in public testimony and news articles. There has never been any dispute until today over the April 27, 1973, date on that interview.

YOUNG TESTIFIED that within a day or two of March 21, 1973, Ehrlichman had asked him to bring the file regarding the Ellsberg investigation. On March 21, Ehrlichman and the President learned that Hunt, by then convicted in the Watergate burglary and bugging case, was threatening to tell the "seamy" things he had done for Ehrlichman if not provided money for legal fees and family expenses.

Young said he gave Ehrlichman the file on Monday, March 26, and spoke with him personally on Tuesday, March 27.

Young's notes of that meeting show that Ehrlichman said he could not recall knowing of the burglary in advance, and Young replied that "I had known about itbeforehand and my recollection was that he also had known about it. I explained that, in fact, his approval of the matter was reflected in a couple of the memos" in the files.

Young's notes say that at that point, "Mr. Ehrlichman replied that there was no question about what had actually happened but that he had taken those memos out and thought he should keep them benause they were a little too sensitive and showed too much forethought."

Ehrlichman asserted today that at Young's suggestion, he took the files on March 21 or March 22. He said, however, that because of his busy schedule those days, he never got a chance to examine the files before leaving town on March 23.

"I saw them (the files) in the sense that I saw a stack of papers sitting there," Ehrlichman said.

"Did you have an occasion to examine them?" Jones asked.

"No," Ehrlichman replied.

FD-362 (Rev. 12-12-72)

PAROLE REPORT
FEDERAL BUREAU OF INVESTIGATION

Reporting Office	Office of Origin	Date
WASHINGTON FIELD OFFICE	WASHINGTON FIELD OFFICE	6/26/74

Name of Contact with Aliases	Report Made By	Typed By
CHARLES WENDELL COLSON, aka Charles W. Colson	[redacted]	ajl

Violation: Obstruction of Justice

Outline of Offense: COLSON was originally indicted by Federal Grand Jury, March 7, 1974 for Violation of Title 18 Sec. 241, U.S. Code, (Conspiracy against the Civil Rights of Citizens). This indictment stemmed from breakin of the office of Dr. LEWIS FIELDING, the former psychiatrist to DANIEL ELLSBERG. After pleading not guilty to the original indictment, COLSON entered a guilty plea to Obstruction of Justice.

Date and place of indictment; March 7, 1974, at Washington, D.C.
& information filed: June 3, 1974

Code and section under which charged: U.S. Code 241 & 1503

Section under which sentenced: Section 1503

Date and nature of plea: June 3, 1974, Guilty

Date and place of conviction: June 21, 1974, at Washington, D.C.

Date and duration of sentence: 1 to 3 years custody of the Attorney General.

Fines: $5,000

Aggravating or Mitigating circumstances: There are no known Aggravating or Mitigating circumstances.

Approved: [redacted] Special Agent in Charge

Do Not Write in Spaces Below

Copies Made:
3 - Bureau
Disseminated at FBIHQ
2 - Bureau of Prisons
Date Fwd.:
By:

MCT 65-74460-4778

ENCLOSURE

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

FD-263 (Rev. 1-7-72)

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE	OFFICE OF ORIGIN	DATE	INVESTIGATIVE PERIOD	
WASHINGTON FIELD	WASHINGTON FIELD	6/26/74	3/7/74 - 6/26/74	

TITLE OF CASE:
BERNARD L. BARKER, aka;
CHARLES W. COLSON;
JOHN D. EHRLICHMAN;
GEORGE GORDON LIDDY, aka;
EUGENIO MARTINEZ, aka;
FELIPE de DIEGO

REPORT MADE BY: [redacted]

TYPED BY: ajl

CHARACTER OF CASE:
CR-CONSPIRACY;
FALSE DECLARATIONS;
OOJ

encl p1

REFERENCES: WFO airtel to Bureau, 5/15/74.
WFO airtel to Bureau, 6/24/74 sa 4776

-P-

ENCLOSURES: Enclosed for the Bureau are (3) copies of Parole report pertaining to CHARLES W. COLSON.

LEADS: WASHINGTON FIELD OFFICE

Will follow and report results of prosecution of remaining subjects.

EXP. PROC. 39

ACCOMPLISHMENTS CLAIMED ☐ NONE					ACQUITTALS	CASE HAS BEEN:
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES		PENDING OVER ONE YEAR ☐ YES ☒ NO PENDING PROSECUTION OVER SIX MONTHS ☐ YES ☒ NO
1 WFO		$5,000				

APPROVED

SPECIAL AGENT IN CHARGE

DO NOT WRITE IN SPACES BELOW

65- 74060 - 4776

COPIES MADE:
(4) - Bureau
3 - WFO (2 - 44-991)
(1 -139-166)

Copy to AAG
by routing slip for ☐ Info ☐ action
date 7/2/74
by WWH/74

ENCLOSURE

REC-73

12 JUN 27 1974

EX-110

Dissemination Record of Attached Report

Agency			
Request Recd.			
Date Fwd.			
How Fwd.			

RECEIVED FBI WASHINGTON FIELD

58 AUG 21974

Notations

McDONOUGH

SIX

DATA PROC

FD-204 (Rev. 3-3-59)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to: [redacted]

Report of: [redacted]
Date: June 26, 1974

Office: Washington, D.C.

Field Office File #: 44-991

Bureau File #:

Title: BERNARD L. BARKER;
CHARLES W. COLSON;
JOHN D. EHRLICHMAN;
GEORGE GORDON LIDDY;
EUGENIO MARTINEZ;
FELIPE de DIEGO

Character: CIVIL RIGHTS-CONSPIRACY; OBSTRUCTION OF JUSTICE;
FALSE DECLARATIONS

Synopsis: March 7, 1974, subjects indicted for Violations of Title 18, USC Section 241, EHRLICHMAN also charged with Violation T. 18 Section 1001, US Code and (3) counts T. 18 Section 1623, USC. 3/9/74 COLSON and EHRLICHMAN entered not guilty pleas. 3/14/74 remaining subjects pled not guilty. 5/21/74, Judge GERHARD GESELL dismissed charges against de DIEGO. 6/3/74, COLSON entered guilty plea to Information charging Violation of T. 18 Section 1503, US Code. 6/21/74, COLSON fined $5,000 and sentenced to term of 1 to 3 years custody of Attorney General. Trial began U.S. District Court, 6/26/74.

-P-

DETAILS: AT WASHINGTON, D.C.

On March 7, 1974, a Federal Grand Jury returned a true bill Indictment charging BERNARD L. BARKER, CHARLES W. COLSON, JOHN D. EHRLICHMAN, GEORGE GORDON LIDDY, EUGENIO MARTINEZ, and FELIPE de DIEGO with Violation of Title 18 Section 241 of the United States Code, that is Conspiracy to violate the Civil Rights of Citizens. EHRLICHMAN was also charged with Violation of Title 18 Section 1001, U.S. Code and (3) counts of Violating Title 18 Section 1623, of the U.S. Code.

document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents t to be distributed outside your agency.

U. S. GOVERNMENT PRINTING OFFICE : 1970 O - 406-840

On March 9, 1974, COLSON and EHRLICHMAN entered not guilty pleas in U.S. District Court before Judge JOHN J. SIRICA. They were released on personal recognizance.

On March 14, 1974, BARKER, de DIEGO, MARTINEZ and LIDDY entered not guilty pleas before Judge GERHARD GESELL. LIDDY was remanded to the custody of the U.S Marshal, while the remaining three individuals were released on their own personal recognizance.

On May 21, 1974 during a pre trial hearing, Judge GESELL dismissed the Indictment against de DIEGO.

On June 3, 1974, CHARLES W. COLSON entered a guilty plea to Violation of Title 18 Section 1503, U.S. Code, (Obstruction of Justice). This plea followed the filing of anInformation charging COLSON with the above Violation. The Information was filed by the Office of the Watergate Special Prosecutor. Judge GESELL accepted the plea and set June 21, 1974 as the sentencing date.

On June 18, 1974, The Office of the Watergate Special Prosecutor filed an Appeal for the reversal of Judge GESELL's decision to dismiss the Indictment as it pertained to de DIEGO.

On June 21, 1974, Judge GESELL sentenced COLSON to a term of 1 to 3 years in the custody of the Attorney General for Violation of Title 18 Section 1503 of the U.S. Code. Judge GESELL also imposed a fine of $5,000 upon COLSON.

On June 26, 1974, jury selection began in the case against the remaining individuals before U.S. District Court Judge GESELL.

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. W. R. Wannall

FROM : H. A. Boynton, Jr.

1 - Mr. Callahan
1 - Mr. Wannall
1 - Mr. Adams
1 - Mr. McDermott
DATE: July 18, 1974
1 - Mr. Bowers
1 - Mr. Boynton
1 - Mr. Haynes

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.: ____
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
Gen. Inv. ____
Ident. ____
Inspection ____
Intell. ____
Laboratory ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

SUBJECT: SENATE COMMITTEE ON FOREIGN RELATIONS;
INTERVIEW OF SA SUPERVISOR ROBERT H. HAYNES

(McLek)

In accordance with prior approval Supervisor Robert H. Haynes, who handles White House liaison, was interviewed by Mr. Bill Ashworth, Senate Committee on Foreign Relations staff member. Ashworth explained that the staff was attempting to "tie up loose ends" concerning its inquiry regarding Dr. Kissinger in relation to the 17 "national security wiretaps." Haynes briefed Ashworth on his activities regarding this program which consisted primarily of delivering letters addressed to the President, Dr. Kissinger and H. R. Haldeman and their subsequent recovery by Haynes in the latter part of 1971. Details regarding Haynes's activity have been set forth in previous memoranda in relation to his interviews by the Special Prosecutor's Office.

Ashworth mentioned two specific memoranda. The first was a memorandum setting forth a request from General Haig for the institution of wiretaps on three or four individuals. The second was a memorandum reporting a conversation between Haldeman and Haynes concerning the White House handling the results of the wiretaps. Ashworth was advised that Haynes has no detailed recollection of these conversations, but he is certain that the memoranda accurately reflect the contents of the conversations. In response to a question, Haynes advised Ashworth that Haynes had never met with or discussed with Dr. Kissinger personally any of the wiretap activity. Ashworth advised he would recontact Haynes if he had any other questions but this seemed to take care of the matter as far as Haynes was concerned. He did not indicate if Haynes's appearance before the Committee would be requested.

1 - Personnel file Robert H. Haynes

RHH:mlr
(9)

CONTINUED - OVER

JUL 23 1974

65-74060

NOT RECORDED
46 JUL 24 1974

56 JUL 26 1974

FILED

Memorandum to Mr. W. R. Wannall
RE: SENATE COMMITTEE ON FOREIGN RELATIONS;
INTERVIEW OF SA SUPERVISOR ROBERT H. HAYNES

ACTION:

None; for information.

WRW/FSP

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

1 - Mr. W. R. Wannall
1 - Mr. W. W. Hamilton

TO : Mr. W. R. Wannall

DATE: 7/22/74

FROM : F. S. Putman, Jr.

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.: ____
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
Gen. Inv. ____
Ident. ____
Inspection ____
Intell. ____
Laboratory ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

SUBJECT: OBSTRUCTION OF JUSTICE IN
UNITED STATES v. DANIEL ELLSBERG, ET AL

By memorandum dated 7/12/74 Watergate Special Prosecution Force (WSPF) requested, in part, that we provide them with a list of all interviews conducted by the FBI in connection with the Pentagon Papers investigation (Daniel Ellsberg case).

On 7/16/74 Supervisor W. W. Hamilton telephonically contacted Mr. Frank Martin, WSPF, to discuss if WSPF desired any qualifications as to the type of interviews they are interested in since to furnish a copy of every interview conducted in the Ellsberg investigation would constitute a voluminous amount of material. Mr. Martin stated that he would appreciate consulting with Supervisor W. W. Hamilton on 7/18/74 at Intelligence Division.

On 7/18/74, Mr. Martin contacted Supervisor W. W. Hamilton telephonically stating that he would be out of town on business until 7/23/74 and upon his return he would arrange another appointment to discuss the best means of handling his request. Mr. Martin indicated that he desired to be more selective as to which interviews he would request and said we should hold any action on this request in abeyance for the present time.

ACTION:

None. For information.

REC-35 65-74060-4731

9 JUL 24 1974

ST-105

WWH:mjg
(3)

65-74060
5-Cult

50 AUG 5 1974

1 - Mr. R. E. Gebhardt
1 - Mr. W. R. Wannall
1 - Mr. W. W. Hamilton

July 23, 1974

Special Prosecution Force
U. S. Department of Justice

BY COURIER SERVICE

Director, FBI

REC-77 1-5-74060-4782

OBSTRUCTION OF JUSTICE IN
UNITED STATES v. DANIEL ELLSBERG, ET AL.

EX-117 Reference is made to your memorandum dated July 12, 1974, captioned as above.

Pursuant to your request in referenced memorandum, there is enclosed one copy each of the following items:

1. FD-302 forms setting forth results of interviews with Dr. Leslie H. Gelb on June 15, 1971; June 16, 1971; June 21, 1971; June 24, 1971; July 21, 1971; July 26, 1971; September 30, 1971; and October 1, 1971; October 18, 1971; and November 22, 1971.

2. FD-302 forms setting forth results of interviews with Morton H. Halperin on July 14, 1971; October 6, 1971; October 21, 1971; and December 3, 1971.

3. FD-302 forms setting forth results of interviews with Paul C. Warnke on July 16, 1971, and October 8, 1971.

FBI records do not contain any information which would indicate that Harry Ellsberg, brother of Daniel Ellsberg, has furnished any oral or written statement to this Bureau.

Enclosures - 15

BY COURIER SVC.
JUL 24 P.M.
FBI

WWH:mjg
(6)

NOTE: Above is in response to request of Watergate Special Prosecutor's Office to Director dated 7/12/74. This memorandum also requested that we furnish a list of all interviews conducted by us in connection with the Ellsberg case. This particular request is presently being discussed with Watergate Special Prosecutor's Office to determine best means of handling.

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.: ____
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
Gen. Inv. ____
Ident. ____
Inspection ____
Intell. ____
Laboratory ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

84 AUG 2 1974

MAIL ROOM ☐ TELETYPE UNIT ☐

1 - Mr. W. R. Wannall

CODE TELETYPE URGENT

1 - Mr. W. W. Hamilton

TO SACS BALTIMORE (65-3896)
BOSTON (65-5236)
CHICAGO (65-5369)
CLEVELAND (65-3521)
DENVER (105-4507)
DETROIT (65-4987)
EL PASO (65-1019)
LOS ANGELES (105-27952)
MIAMI (65-3264)
MILWAUKEE (65-1335)
NEWARK (65-6215) AUGUST 1, 1974
NEW HAVEN (65-2389)
NEW ORLEANS (65-2279)
NEW YORK (65-25641)
PHILADELPHIA (65-6346)
PHOENIX (65-1117)
PITTSBURGH (105-7700)
ST. LOUIS (65-2765)
SAN FRANCISCO (65-6076)
WFO (65-11613)

FROM DIRECTOR FBI (65-74060)

DANIEL ELLSBERG, ET AL, V. JOHN N. MITCHELL, UNITED STATES DISTRICT COURT, WASHINGTON, D. C., CIVIL ACTION NO. 1879-72, BUDED: AUGUST 5, 1974.

REBUTEL MAY 25, 1972, CAPTIONED "MC LEK" REQUESTING SPECIAL INDICES CHECK RE ELECTRONIC SURVEILLANCES AND OVERHEARS ON DANIEL ELLSBERG AND ANTHONY JOSEPH RUSSO, JR.

DEPARTMENT HAS REQUESTED AN UPDATED ELSUR CHECK RE ELLSBERG AND RUSSO IN ORDER TO RESPOND TO INTERROGATORIES FILED IN CAPTIONED CIVIL ACTION.

CONDUCT CHECK IN ORDER TO ANSWER SPECIFIC QUESTIONS CONTAINED IN CRIMINAL DIVISION MEMORANDUM APRIL 16, 1969, FURNISHED FIELD MAY 2, 1969. KEY ANSWERS TO CORRESPOND WITH QUESTIONS A THROUGH F.

EX-117

REC 126-74060-4783

6 AUG 2 1974

WWH:mjg
(4)

SEE NOTE PAGE THREE

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

AUG 01 1974

TELETYPE

Assoc. Dir.
Dep. AD Adm.
Dep. AD Inv.
Asst. Dir.:
Admin.
Comp. Syst.
Ext. Affairs
Files & Com.
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
Legal Coun.
Plan. & Eval.
Spec. Inv.
Training
Telephone Rm.
Director Sec'y

56 AUG 8 1974

MAIL ROOM TELETYPE UNIT

TELETYPE TO BALTIMORE, ET AL
RE: DANIEL ELLSBERG, ET AL, V. JOHN N. MITCHELL,
UNITED STATES DISTRICT COURT, WASHINGTON, D. C.,
CIVIL ACTION NO. 1879-72
65-74060

IF IT IS DETERMINED CAPTIONED SUBJECTS COVERED BY ELECTRONIC SURVEILLANCE, FURNISH IDENTITY OF MONITORING SOURCES AND FURNISH ONE TRUE COPY OF LOGS COVERING MONITORED CONVERSATIONS. FURNISH ONE COPY OF NECESSARY COMMUNICATIONS WHICH EXPAND OR SUMMARIZE PORTIONS OF THE INDIVIDUALS' CONVERSATIONS CONTAINED IN LOGS. IT WILL SUFFICE TO IDENTIFY FOR BUREAU REPORTS OR COMMUNICATIONS CONTAINING MICROPHONE INFORMATION IN THE DETAILS PERTINENT TO THE INDIVIDUALS COVERED.

ADVISE WHETHER SUBJECTS OR PREMISES IN WHICH THEY HAD PROPRIETARY INTEREST HAVE BEEN SUBJECT OF ANY ELECTRONIC SURVEILLANCE WHERE ONE OF THE PARTIES MAY HAVE CONSENTED TO THE SURVEILLANCE, AS WELL AS SUCH SURVEILLANCE CONDUCTED PURSUANT TO THE PROVISIONS OF PUBLIC LAW 90/351.

IF THESE INDIVIDUALS WERE COVERED BY TITLE III, IDENTIFY SUCH COVERAGE AND NAME OF DEPARTMENT'S REPRESENTATIVE IN FIELD WHO WAS FURNISHED THE INFORMATION.

WHEN CONDUCTING SEARCH, INSURE KNOWN ALIASES OF SUBJECTS ARE SEARCHED IN ADDITION TO SUBJECTS' TRUE NAMES.

HANDLE EXPEDITIOUSLY REPLIES TO REACH BUREAU NO LATER THAN COB AUGUST 5, 1974.

TELETYPE TO BALTIMORE, ET AL
RE: DANIEL ELLSBERG, ET AL, V. JOHN N. MITCHELL,
UNITED STATES DISTRICT COURT, WASHINGTON, D. C.,
CIVIL ACTION NO. 1879-72
65-74060

NOTE:

Department, by letter dated 7/26/74, sur4806 has requested elsur checks concerning Daniel Ellsberg and Anthony Joseph Russo, Jr., plaintiffs in captioned civil action. Legal Counsel has noted that under rules of Federal Criminal procedure, Department must answer plaintiff's interrogatories by 8/8/74.

5010-106

GSA GEN. REG. NO. 27

UNITED STATES GOVERNMENT

Memorandum

1 - Mr. H. N. Bassett
1 - Mr. R. E. Gebhardt
1 - Mr. J. A. Mintz

TO : Mr. J. B. Adams

DATE: 8/1/74

1 - Mr. W. R. Wannall
1 - Mr. W. W. Hamilton

FROM : W. R. Wannall

SUBJECT: OBSTRUCTION OF JUSTICE IN
U.S. V. DANIEL ELLSBERG, ET AL

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.: ____
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
Gen. Inv. ____
Ident. ____
Inspection ____
Intell. ____
Laboratory ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

This afternoon the writer received a telephone call from Mr. Frank Martin of the Special Prosecutor's Office. Mr. Martin requested that the writer appear before the Grand Jury handling captioned matter at 2:00 p.m., Wednesday, 8/7/74.

This relates to an interview earlier this week of the writer by Mr. Martin relating to an interview of former Special Agent [redacted] by members of our Inspection Staff in early May, 1973. The FD-302 covering the interview shows that Mr. [redacted] stated that in June, 1971, at the instructions of former Assistant to the Director William C. Sullivan, he had reviewed material relating to the 17 wiretaps and determined that there had been no overhearings of Daniel Ellsberg. Upon seeing the report of this interview in early May, 1973, the writer recalled that the Department, during the course of the Ellsberg investigation, had requested in early July, 1971, that it be furnished with the results of an electronic indices search on Ellsberg. At that time, former Special Agent [redacted] had dropped by the writer's office and made a statement to the effect that Mr. Sullivan had instructed him to review the "special material" which [redacted] had previously handled to determine if there had been any overhearings of Ellsberg. At that time, Wells informed the writer he had reviewed the material and that there had been no overhearings. Since the writer had a recollection of this incident which occurred in early July, 1971, he had advised former Deputy Associate Director Miller of his recollection of the conversation with [redacted]

REC-48 [illegible] - 74666 - 4784

This was the matter covered during the interview conducted by Mr. Martin earlier this week and when he telephoned today he stated that the writer's testimony before the Grand Jury was desired in this connection.

WRW:jlb (6)

1 Xerox for SPO 1-8-75 WRW

CONTINUED - OVER

AUG 8 1974

COPY RETAINED IN PERSONNEL RECORDS UNIT

REL XEROX AUG 20 1974

DOJ XEROX AUG 19 1974

b4 AUG 22 1974

PERS. REC. UNIT

Memorandum to Mr. J. B. Adams
Re: Obstruction of Justice in
U.S. v. Daniel Ellsberg, et al

ACTION:

The writer will appear and testify before the Grand Jury in accordance with the request of the Special Prosecutor's Office.

NR017 BS C O D E

10:02PM URGENT 7-7-71 JAM

TO: DIRECTOR 65-74060 ATTN: DOMINTEL

CHICAGO

DENVER 105-4507

LOS ANGELES 105-27952

NEW YORK 65-25641

SAN FRANCISCO

WASHINGTON FIELD 65-11613

FROM: BOSTON 65-5236 THREE PAGES

MC LEK - NATIONALITIES INTELLIGENCE.

RE BUREAU TEL, JULY SIX, LAST.

REVIEW OF ELSUR INDICES, BOSTON DIVISION, NEGATIVE CONCERNING DANIEL ELLSBERG, DANIEL ELLSBURG, DOCTOR DANIEL ELLSBERG, DOCTOR DANEIL ELLSBURG. THIS REVIEW ALSO NEGATIVE CONCERNING ELLSBERG'S ATTORNEYS, LEONARD B. BOUDIN, CHARLES R. NESSON, AND DAVID ROSENBERG. ST-106

FOR INFORMATION OF OFFICES NOT RECEIVING RE TEL, BUREAU ADVISED THAT ASSISTANT ATTORNEY GENERAL, INTERNAL SECURITY DIVISION, IN LETTER DATED JULY TWO, LAST, CLASSIFIED "SECRET," REQUESTED CHECK OF SPECIAL INDICES CONCERNING DANIEL ELLSBERG WHO WAS RECENTLY INDICTED FOR VIOLATION OF TITLE EIGHTEEN, USC, SECTION SEVEN NINE

REC 16 65-74060-4785

13 JUL 13 1971

END PAGE ONE

70 JUL 14 1971

ENCLOSURE

65-74060-4785

THREE (E) AND OTHER SECTIONS OF USC.

BUREAU INSTRUCTED AS FOLLOWS:

RECIPIENTS CONDUCT APPROPRIATE ELECTRONIC SURVEILLANCE CHECK IN ORDER TO ANSWER SPECIFIC QUESTIONS SET FORTH IN DEPARTMENTAL MEMORANDUM, DATED APRIL SIXTEEN, NINETEEN SIXTYNINE, CAPTIONED "ELECTRONIC SURVEILLANCES, [redacted]." IN YOUR RESPONSE TO BUREAU, KEY YOUR ANSWERS TO CORRESPOND WITH QUESTIONS A THROUGH F IN THE DEPARTMENTAL MEMORANDUM. IF CHECK OF INDICES NEGATIVE, SITEL IMMEDIATELY. IF DATA LOCATED, YOUR RESPONSE MUST REACH BUREAU NO LATER THAN CLOSE OF BUSINESS, JULY NINE, NINETEEN SEVENTYONE AND SHOULD INCLUDE ONE TRUE COPY OF LOGS COVERING MONITORED CONVERSATIONS AND ONE TRUE COPY OF LOGS OF ANY OF THE PREMISES IN WHICH ELLSBERG IS OR WAS THE OWNER, LESSEE OR LICENSEE. FURNISH ONE COPY OF ANY COMMUNICATIONS WHICH EXPAND OR SUMMARIZE PORTIONS OF THE CONVERSATIONS CONTAINED IN THE LOGS OR WHICH DEMONSTRATE PERTINENT LEADS WHICH MAY HAVE COME FROM THE ELECTRONIC

END PAGE TWO

SURVEILLANCE. INSURE THE LOGS ARE CAREFULLY REVIEWED PRIOR TO TRANSMITTAL TO BUREAU.

BUREAU ALSO REQUESTED BOSTON AND/OR LOS ANGELES TO IDENTIFY ATTORNEYS OF RECORD REGARDING ELLSBERG, WHO HAVE BEEN NAMES ABOVE, AND ADVISE BUREAU AND INTERESTED OFFICES.

IN THIS REGARD, RECIPIENTS ARE INSTRUCTED TO INSURE THAT INSTRUCTIONS CONCERNING ELECTRONIC SURVEILLANCE [redacted]HECKS ARE SET FORTH AS IN SAC LETTER [redacted] [redacted]TED AUGUST THIRTEEN, NINETEEN SIXTYNINE, ARE ADHERED TO. MAKE CERTAIN PROCEDURES TO BE FOLLOWED TO INSURE AGAINST MONITORING OUR DEFENDANT'S ATTORNEYS OR DEFENSE ATTORNEY'S STRATEGY CONVERSATIONS ARE ADHERED TO.

END

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.:
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
Gen. Inv. ____
Ident. ____
Inspection ____
Intell. ____
Laboratory ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

TO : Mr. J. B. Adams

DATE: August 7, 1974

FROM : W. R. Wannall

SUBJECT: OBSTRUCTION OF JUSTICE IN
U.S. V. DANIEL ELLSBERG, ET AL.

Memorandum 8/1/74 reported that the writer had been requested to appear before the Grand Jury handling captioned matter at 2:00 p.m. today, 8/7/74, and the Director approved this appearance. At 9:40 a.m., 8/7/74, Mr. Frank Martin of the Special Prosecutor's Office telephonically advised that he had sent a letter to the Bureau requesting that in connection with the writer's appearance before the Grand Jury this afternoon, the Special Prosecutor's Office be furnished with a Xerox copy of a teletype in the Ellsberg case dated 7/7/71 sent by the Boston Office to the Director and six field offices (Xerox copy of this teletype attached).

We have been unable to locate the written request referred to by Mr. Martin and he was advised that the writer had not received it. He said he would appreciate it very much if the writer would take a copy of the requested teletype to the Grand Jury this afternoon for utilization before the Grand Jury.

ACTION:

We have received numerous similar requests from the Special Prosecutor's Office and have complied with them. There is no reason for denying the above request. Accordingly, the writer will comply with it unless advised to the contrary.

Enclosure

WRW:lml (6)
1 - Mr. Bassett
1 - Mr. Gebhardt
1 - Mr. Mintz
1 - Mr. Wannall
1 - Mr. Hamilton

REC-48 62-74060-4785

EX-117

AUG 8 1974

5 AUG 15 1974

ENCLOSURE

Tested re matter set forth in 8/1 memo & Xerox of teletype from Boston forwarded to G.J.

5-wfm

FBI/DOJ REC. UNIT

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

AUG 02 1974

TELETYPE

Assoc. Dir.	
Dep.-A.D.-Adm.	
Dep.-A.D.-Inv.	
Asst. Dir.:	
Admin.	
Comp. Syst.	
Ext. Affairs	
Files & Com.	
Gen. Inv.	
Ident.	
Inspection	
Intell.	
Laboratory	
Plan. & Eval.	
Spec. Inv.	
Training	
Legal Coun.	
Telephone Rm.	
Director Sec'y	

NR 010 NK CODE

515PM NITEL 8/2/74 TJB

TO DIRECTOR 65-74060

FROM NEWARK 66-1356

ELSUR, DANIEL ELLSBERG, ET AL, V. JOHN N. MITCHELL, UNITED STATES DISTRICT COURT, WASHINGTON, DC, CIVIL ACTION NO. 1879-72,

REBUTEL 8/1/74 [illegible] 4783

ELSUR CHECK CONDUCTED ON DANIEL ELLSBERG, AND ANTHONY JOSEPH RUSSO, JR., NEGATIVE. ELSUR MADE IN ACCORDANCE WITH CRIMINAL DIVISION MEMRANDUM 4/16/69, PARAGRAPHS A. THROUGH F. ALL NEGATIVE.

END

REC-73 65-74060-4781

21 AUG 9 1974

EX-101

84 AUG 22 1974

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

AUG 02 1974

TELETYPE

Assoc. Dir.	
Dep.-A.D.-Adm.	
Dep.-A.D.-Inv.	
Asst. Dir.:	
Admin.	
Comp. Syst.	
Ext. Affairs	
Files & Com.	
Gen. Inv.	
Ident.	
Inspection	WRW
Intell.	
Laboratory	H
Plan. & Eval.	
Spec. Inv.	
Training	
Legal Coun.	
Telephone Rm.	
Director Sec'y	

NR 002 CV CODE

1:40 PM URGENT 8/2/74 RJB

TO DIRECTOR (65-74060)

FROM CLEVELAND (65-3521) (RUC) 1P

DANIEL ELLSBERG, ET AL, V. JOHN N. MITCHELL, UNITED STATES DISTRICT COURT, WASHINGTON, D.C., CIVIL ACTION NO. 1879-72, BUDED: AUGUST 5, 1974.

RE BUREAU TELETYPE AUGUST 1, 1974 AND CLEVELAND TELETYPE MAY 26, 1972, CAPTIONED "MC LEK, SIO."

UPDATED ELSUR CHECK RE ELLSBERG AND RUSSO OF CLEVELAND ELSUR INDICES SINCE DATE OF REFERENCED CLEVELAND TELETYPE, DISCLOSED NO INFO ON THESE INDIVIDUALS

END

DEB FBIHQ TKS

CLR

REC-73 65-74060-4788

EX-101

21 AUG 9 1974

84 AUG 22 1974

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

AUG 02 1974

TELETYPE

Assoc. Dir.	
Dep.-A.D.-Adm.	
Dep.-A.D.-Inv.	
Asst. Dir.:	
Admin.	
Comp. Syst.	
Ext. Affairs	
Files & Com.	
Gen. Inv.	
Ident.	
Inspection	
Intell.	
Laboratory	
Plan. & Eval.	
Spec. Inv.	
Training	
Legal Coun.	
Telephone Rm.	
Director Sec'y	

NR005 NO CODE

10:45KPM NITEL 8-2-74 SRC

TO: DIRECTOR (65-74060)

FROM: NEW ORLEANS (65-2279) (P) 1P

DANIEL ELLSBERG, ET AL, V. JOHN N. MITCHELL, UNITED STATES DISTRICT COURT, WASHINGTON, D. C., CIVIL ACTION ACTION NO. 1879-72, BUDED: AUGUST 5, 1974.

REBUTEL AUGUST 1, 1974, NEW ORLEANS TEL MAY 25, 1972, CAPTIONED "MCLEK"

AN UPDATE REVIEW OF NEW ORLEANS ELSUR INDICES NEGATIVE.

END OF MESSAGE.

HOLD ONE MORE PLS

REC-73 65-74060-4783

EX-101

21 AUG 9 1974

84 AUG 22 1974

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

AUG 02 1974

TELETYPE

Assoc. Dir.	
Dep.-A.D.-Adm.	
Dep.-A.D.-Inv.	
Asst. Dir.:	
Admin.	
Comp. Syst.	
Ext. Affairs	
Files & Com.	
Gen. Inv.	
Ident.	
Inspection	
Intell.	
Laboratory	
Plan. & Eval.	
Spec. Inv.	
Training	
Legal Coun.	
Telephone Rm.	
Director Sec'y	

NR005 SL CODED

4:01PM URGENT 8/2/74 KCM

TO DIRECTOR

FROM ST. LOUIS (65-2765) RUC 1P

DANIEL ELLSBERG, ET AL, V. JOHN N. MITCHELL, UNITED STATES DISTRICT COURT, WASHINGTON, D. C., CIVIL ACTION NO. 1879-72, BUDED: AUGUST 5, 1974.

RE BUTEL TO BALTIMORE, ET AL, AUGUST 1, 1974.

CAPTIONED INDIVIDUAL AND ANTHONY JOSEPH RUSSO HAVE NOT PARTICIPATED IN, AND WERE NOT PRESENT AT ANY CONVERSATIONS OVERHEARD BY ELECTRONIC SURVEILLANCE IN THE ST. LOUIS DIVISION. ELECTRONIC SURVEILLANCES WERE NOT CONDUCTED ON ANY PREMISES OF WHICH THE NAMED INDIVIDUALS WERE THE OWNER, LESSEE OR LICENSEE. REMAINING POINTS OCCURRING IN CRIMINAL DIVISION MEMORANDUM FURNISHED ST. LOUIS MAY 2, 1969 ARE THEREFORE NOT APPLICABLE TO THE ST. LOUIS DIVISION.

END

EX-101 REC-73 74-60 4

AUG 9 1974

84 AUG 22 1974

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

AUG 02 1974

TELETYPE

Assoc. Dir.	
Dep.-A.D.-Adm.	
Dep.-A.D.-Inv.	
Asst. Dir.:	
Admin.	
Comp. Syst.	
Ext. Affairs	
Files & Com.	
Gen. Inv.	
Ident.	
Inspection	
Intell.	
Laboratory	
Plan. & Eval.	
Spec. Inv.	
Training	
Legal Coun.	
Telephone Rm.	
Director Sec'y	

NR011 NY CODE

5:00 P.M. NITEL 8-2-74 PLQ

TO: DIRECTOR, FBI (65-74060)

FROM: SAC, NEW YORK (65-25641)

DANIEL ELLSBERG, ET AL, V. JOHN N. MITCHELL, US DISTRICT COURT, WASHINGTON, D.C., CIVIL ACTION NO. 1879-72, BUDED AUGUST 5, 1974; ELSUR; DANIEL ELLSBERG; ANTHONY JOSEPH RUSSO JR AKA TONY RUSSO

RE BUREAU TELETYPE AUGUST 1, 1974; NEW YORK NITEL DATED MAY 31, 1972, CAPTIONED "MC LEK".

SPECIAL INDICES OF NEW YORK DIVISION AND CORRESPONDING RECORDS WERE REVIEWED IN ACCORDANCE WITH CRIMINAL DIVISION MEMORANDUM DATED APRIL 16, 1969 CONCERNING CAPTIONED INDIVIDUALS, WITH FOLLOWING RESULTS:

EX-101

REC-73

65-74060-4191

(A) NO

(B) NO

(C) - (F) NOT APILICABLE.

SUCH REVIEW FAILED TO INDICATE THAT CAPTIONED INDIVIDUALS HAVE BEEN SUBJECTED TO ANY ELECTRONIC SURVEILLANCE.

ET AUG 9 1974

END

HOLD

84 AUG 22 1974

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

AUG 02 1974

TELETYPE

Assoc. Dir.
Dep.-A.D.-A
Dep.-A.D.-Inv.
Asst. Dir.:
Admin.
Comp. Syst.
Ext. Affairs
Files & Com.
Gen. Inv.
Ident.
Inspection WRW
Intell.
Laboratory
Plan. & Eval.
Spec. Inv.
Training
Legal Coun.
Telephone Rm.
Director Sec'y

NR003 PH CODED

12:20 PM AUGUST 2, 1974 URGENT MPM

TO DIRECTOR, FBI (65-74060)

ATTENTION: INTELLIGENCE DIVISION

FROM PHILADELPHIA (65-6346) (RUC) ONE PAGE

DANIEL ELLSBERG, ET AL, V. JOHN N. MITCHELL, UNITED STATES DISTRICT COURT, WASHINGTON, D.C., CIVIL ACTION NO. 1879-72, BUDED AUGUST 5, 1974.

RE BUREAU TELETYPE AUGUST 1, 1974.

REVIEW OF PH ELECTRONIC INDICES FAILED TO SHOW THAT DANIEL ELLSBERG OR ANTHONY RUSSO, JR., WERE PRESENT AT OR PARTICIPATED IN CONVERSATIONS OVERHEARD BY ANY ELECTRONIC SURVEILLANCE BY THE PHILADELPHIA OFFICE OR THAT EITHER WAS AN OWNER, LESSEE OR LICENSEE OF A PREMISE WHICH WAS SUBJECTED TO AN ELECTRONIC SURVEILLANCE BY THE PHILADELPHIA OFFICE.

INDICES SEARCHED BY SA

END

JRM FBIHQ

FOR ONE

CLR

84 AUG 22 1974

65-74060

FX-101

REC-73

AUG 9 1974

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

AUG 02 1974

TELETYPE

Assoc. Dir.	
Dep.-A.D.-Adm.	
Dep.-A.D.-Inv.	
Asst. Dir.:	
Admin.	
Comp. Syst.	
Ext. Affairs	
Files & Com.	
Gen. Inv.	
Ident.	
Inspection	
Intell.	
Laboratory	
Plan. & Eval.	
Spec. Inv.	
Training	
Legal Coun.	
Telephone Rm.	
Director Sec'y	

NR 012 BA PLAIN

812 PM NITEL 8/2/74 MJHWA

TO: DIRECTOR, FBI (65-74060)

FROM: BALTIMORE (65-3896) (RUC)

DANIEL ELLSBERG, ET AL, V. JOHN N. MITCHELL, UNITED STATES DISTRICT COURT, WASHINGTON, D.C., CIVIL ACTION NO. 1879-72; BUDED: AUGUST 5, 1974.

RE BUREAU TELETYPE DATED AUGUST 1, 1974.

THE FOLLOWING PARAGRAPHS ARE KEYED TO QUESTIONS A-F AS SET FORTH IN DEPARTMENTAL MEMORANDUM OF APRIL 16, 1969, AND DEAL SPECIFICALLY WITH SUBJECTS, ELLSBERG AND RUSSO.

A. NEITHER SUBJECT WAS EVER PRESENT AT NOR PARTICIPANT IN BALTIMORE ELSURS.

B. NO ELSURS CONDUCTED ON PREMISES WHERE EITHER SUBJECT WAS LICENSEE, LEASEE, OWNER, OR WHERE THEY HAD A PROPRIETARY INTEREST.

C.-F. NOT APPLICABLE.

NEITHER SUBJECT INVOLVED IN ELSURS UNDER TITLE 3 NOR INCIDENT TO ONE PARTY CONSENSUAL MONITORING.

END

REC-73 65-74060-411

EX-101

AUG 9 1974

84 AUG 22 1974

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

AUG 02 1974

TELETYPE

NR011 BS CODE

7:18PM NITEL AUGUST 2, 1974 RFF

TO: DIRECTOR (65-74060)

FROM: BOSTON (65-5236)

DANIEL ELLSBERG, ET AL, VS. JOHN N. MITCHELL,
UNITED STATES DISTRICT COURT, WASHINGTON, D.C.
CIVIL ACTION NO. 1879-72, BUDED AUGUST 5, 1974

RE BUREAU TELETYPE DATED 8/1/74, CAPTIONED AS ABOVE.

ON 8/2/74, AN UP-DATED REVIEW OF ELSUR INDICES WAS CONDUCTED AT BOSTON REGARDING DANIEL ELLSBERG AND ANTHONY JOSEPH RUSSO, JR., AKA TONY RUSSON WITH NEGATIVE RESULTS.

END

FBIHQ REC'D $D TWO KLJ CLR

REC-73 65-74060-4783

EX-101

21 AUG 9 1974

84 AUG 22 1974

Assoc. Dir. ____
Dep.-A.D.-Adm. ____
Dep.-A.D.-Inv. ____
Asst. Dir.:
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
Gen. Inv. ____
Ident. ____
Inspection ____
Intell. ____
Laboratory ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

AUG 02 1974

TELETYPE

NR 002 CG CODED

752PM NITEL 8/2/74 EMM

TO DIRECTOR (65-74060)

FROM CHICAGO (65-5369) (RUC) 1P

DANIEL ELLSBERG; ET AL, VERSUS JOHN N. MITCHELL, U.S. DISTRICT COURT, WASHINGTON, D.C., CIVIL ACTION NUMBER 1879-72.

RE BUREAU TELETYPE DATED AUGUST 1, 1974.

CHICAGO ELSUR INDICES NEGATIVE REGARDING DANIEL ELLSBERG AND ANTHONY JOSEPH RUSSO, JR. NO ELSUR SOLICITED BY CHICAGO OF ANY STATE OR LOCAL GOVERNMENT AGENCIES OR PRIVATE PARTIES OR COMPANIES, OR ANY ELSUR CONDUCTED IN COOPERATION WITH CHICAGO. NO ELSUR CONDUCTED OF ELLSBERG OR RUSSO BY SUCH AGENCIES WITHINT KNOWLEDGE OF CHICAGO. NO ELSUR COVERAGE WAS MAINTAINED BY CHICAGO ON ANY PREMISES WHEREIN ELLSBERG OR RUSSO WERE OWNERS, LESSEES, OR LICENSEES.

END

HOLD

84 AUG 22 1974

Assoc. Dir. ____
Dep.-A.D.-Adm. ____
Dep.-A.D.-Inv. ____
Asst. Dir.:
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
Gen. Inv. ____
Ident. ____
Inspection ____
Intell. ____
Laboratory ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

EX-101
REC-73 65-74060-419
21 AUG 9 1974

5 - Hall

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

AUG 02 1974.

TELETYPE

NR005 PG PLAIN

653 PM WITEL 8-2-74 CLK

TO DIRECTOR (65-74060)

FROM PITTSBURGH (92-407 SUB2) 1P

DANIEL ELLSBURG; ETAL, V. JOHN N. MITCHELL, UNITED STATES DISTRICT COURT, WASHINGTON, D.C., CIVIL ACTION NO. 1879-72, BUDED: AUGUST 5, 1974.

RE BUREAU TELETYPE TO BALTIMORE DATED AUGUST 1, 1974.

REVIEW OF PITTSBURGH SPECIAL INDICES SHOWS THAT SINCE MAY, 1972, NEITHER DANIEL ELLSBURG NOR ANTHONY JOSEPH RUSSO, JR., WERE THE SUBJECT OF ELECTRONIC SURVEILLANCE BY THE PITTSBURGH OFFICE NOR WERE THEY PRESENT AT ANY CONVERSATION UNDER X-101 SURVEILLANCE BY THIS OFFICE. THEY WERE NEVER RECORDED OWNERS, LICENSEES, OR LESSEES OF ANY PREMISES ON WHICH ELECTRONIC SURVEILLANCE WAS CONDUCTED BY THE PITTSBURGH OFFICE, NOR ANY SURVEILLANCE UNDER THE PROVISIONS OF PUBLIC LAW 90/351.

END

84 AUG 22 1974

Assoc. Dir.
Dep.-A.D.-Adm.
Dep.-A.D.-Inv.
Asst. Dir.:
Admin.
Comp. Syst.
Ext. Affairs
Files & Com.
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
Plan. & Eval.
Spec. Inv.
Training
Legal Coun.
Telephone Rm.
Director Sec'y

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

AUG 02 1974

TELETYPE

ONR006 DN CODE

532PM NITEL AUG.2,1974 RDE

TO: DIRECTOR (65-74060)

FROM: DENVER (105-4507)

DANIEL ELLSBERG,ET AL, V. JOHN N. MITCHELL, UNTIED STATES DISTRIC COURT,WASHINGTON, D.C.,CIVIL ACTION NO. 1879-72, BUDED: AUGUST 5,1974.

RE BU TEL, AUGUST 1,1974.

UPDATED ELSUR CHECK SINCE DENVER TELETYPE MAY 26,1972, REVEALS NO ELSUR OBTAINED OR DISSEMINATED BY DENVER ELLSBERG OR RUSSO.

END

REC 3 DBS FBIHQ CLR

84 AUG 22 1974

Assoc. Dir.
Dep.-A.D.-Adm.
Dep.-A.D.-Inv.
Asst. Dir.:
Admin.
Comp. Syst.
Ext. Affairs
Files & Com.
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
Plan. & Eval.
Spec. Inv.
Training
Legal Coun.
Telephone Rm.
Director Sec'y

EX-101

REC-73 65-74060-4117

AUG 9 1974

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

AUG 03 1974

TELETYPE

NR 009 SF CODE

9:58PM NITEL AUGUST 2, 1974 KCK

TO: DIRECTOR (65-74060)

FROM: SAN FRANCISCO (66-672B) 1 PAGE

ATTN: INTD

DANIEL ELLSBERG, ET AL; V. JOHN N. MITCHELL, UNITED STATES DISTRICT COURT, WASHINGTON, D.C., CIVIL ACTION NO. 1879-72, BUDED: AUGUST 5, 1974.

REBUTEL AUGUST 1, 1974 [illegible]

CONCERNING DANIEL ELLSBERG AND ANTHONY JOSEPH RUSSO, JR., THE SPECIAL INDICES OF THE SAN FRANCISCO OFFICE FAILED TO REFLECT THAT THESE INDIVIDUALS (A) WERE PRESENT AT OR PARTICIPATED IN ANY CONVERSATION OVERHEARD ON AN ELECTRONIC SURVEILLANCE CONDUCTED BY THIS OFFICE, NOR, (B) HAVE THEY EVER BEEN THE OWNER, LESSEE, OR LICENSEE OF ANY PREMISES ON WHICH THIS OFFICE HAS HAD AN ELECTRONIC SURVEILLANCE. IN VIEW OF THE FOREGOING, ITEMS (C) THROUGH (F) ARE NOT APPLICABLE. NEITHER THE SUBJECTS NOR ANY PREMISES IN WHICH THEY HAVE HAD PROPRIETARY INTEREST HAVE BEEN SUBJECT TO ANY LAWFUL ELECTRONIC SURVEILLANCE. NO SUCH SURVEILLANCE HAS BEEN CONDUCTED PURSUANT TO THE PROVISIONS OF PUBLIC LAW 90/351.

END

HOLD

84 AUG 8 2 1974

REC-73 EX-101 65-74060 4/19

21 AUG 9 1974

Assoc. Dir.
Dep.-A.D.-Adm.
Dep.-A.D.-Inv.
Asst. Dir.:
Admin.
Comp. Syst.
Ext. Affairs
Files & Com.
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
Plan. & Eval.
Spec. Inv.
Training
Legal Coun.
Telephone Rm.
Director Sec'y

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

AUG 05 1974

TELETYPE

Assoc. Dir.
Dep.-A.D.-Adm.
Dep.-A.D.-Inv.
Asst. Dir.:
Admin.
Comp. Syst.
Ext. Affairs
Files & Com.
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
Plan. & Eval.
Spec. Inv.
Training
Legal Coun.
Telephone Rm.
Director Sec'y

NR002 MM PLAIN

1231PM URGENT AUGUST 5, 1974 JLL

TO DIRECTOR FBI (65-74060)

FROM MIAMI (65-3264)

DANIEL ELLSBERG, ET AL; JOHN N. MITCHELL, UNITED STATES DISTRICT COURT, WASHINGTON, D.C., CIVIL ACTION NO. 1879-72, BUDED: AUGUST 5, 1974.

RE BUREAU TELETYPE TO BALTIMORE, AUGUST 1, 1974.

MIAMI ELECTRONIC INDICES DO NOT REVEAL THAT DANIEL ELLSBERG AND ANTHONY JOSEPH RUSSO, JR., WERE MONITORED IN ANY ELECTRONIC SURVEILLANCE, NOR WERE THEY THE SUBJECTS OF AN ELECTRONIC SURVEILLANCE, IN THE MIAMI OFFICE WHEREIN THEY HAD A PROPRIETARY INTEREST, NOR WERE THEY SUBJECTED TO ANY LAWFUL ELECTRONIC SURVEILLANCE OR ANY SURVEILLANCE CONDUCTED PURSUANT TO PROVISIONS OF TITLE III OF PUBLIC LAW 90-351.

END

KAC FBIHQ CLR

65-74060 H/P

REC-39

EX-101

81 AUG 9 1974

84 AUG 22 1974

NR 002 LA CODE

11:55 A URGENT 8-5-74 SMA

TO DIRECTOR (65-74060)

FROM LOS ANGELES (105-27952) (C) TELETYPE

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION
AUG 05 1974

DANIEL ELLSBERG, ET AL, V. JOHN N. MITCHELL, UNITED STATES DISTRICT COURT, WASHINGTON, D. C., CIVIL ACTION NO. 1879-72, BUDED: AUGUST 5, 1974.

RE BUREAU TELETYPE DATED AUGUST 1, 1974.

LOS ANGELES ELSUR INDICES NEGATIVE ON DANIEL ELLSBURG AND ANTHONY JOSEPH RUSSO, JR. INCLUDING ALL POSSIBLE ALIASES.

LOS ANGELES HAS NEVER HAD ELSUR COVERAGE ON THE FOLLOWING ADDRESSES IN WHICH ELLSBURG AND/OR RUSSO HAD A PROPRIETARY INTEREST:

A. 20752 PACIFIC COAST HIGHWAY, MALIBU, CALIFORNIA.

B. 1700 MAIN STREET, SANTA MONICA, CALIFORNIA.

C. 272 ENTRADA DRIVE, SANTA MONICA, CALIFORNIA.

D. 1722 WESTWOOD BOULEVARD, LOS ANGELES, CALIFORNIA.

E. 32 WEST TEMPLE, LOS ANGELES, CALIFORNIA.

F. 2153 LA MESA, SANTA MONICA, CALIFORNIA.

EX-101 REC-73 65-74060-480

AUG 9 1974

APPROPRIATE INSTRUCTIONS HAVE BEEN ISSUED TO PERTINENT PERSONNEL TO INSURE AGAINST MONITORING OF EITHER ELLSBURG OR RUSSO'S CONVERSATIONS.

END

JTG FBIHQ CLR

INTELLIGENCE DIV.
RECEIVED

84 AUG 22 1974

Assoc. Dir.
Dep.-A.D.-Adm.
Dep.-A.D.-Inv.
Asst. Dir.:
Admin.
Comp. Syst.
Ext. Affairs
Files & Com.
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
Plan. & Eval.
Spec. Inv.
Training
Legal Coun.
Telephone Rm.
Director Sec'y

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

NR 01PX CODE
1130AM AUGUST 5, 1974 URGENT WKC

TO: DIRECTOR

FROM: PHOENIX (65-1117) (RUC) 1P

TELETYPE

DANIEL ELLSBERG; ET AL; V. JOHN N. MITCHELL, UNITED STATES DISTRICT COURT, WASHINGTON, D.C., CIVIL ACTION NO. 1879-72.

REBUTEL AUGUST 1, 1974.

SPECIAL INDICES CHECK RE ELECTRONIC SURVEILLANCES AND OVERHEARS ON DANIEL ELLSBERG AND ANTHONY JOSEPH RUSSO, JR., HAS BEEN MADE BY PHOENIX OFFICE THIS DATE WITHOUT ESTABLISHING ANY INFORMATION PERTINENT TO THIS MATTER.

END

JTG FBIHQ CLR

Assoc. Dir.
Dep.-A.D.-Adm.
Dep.-A.D.-Inv.
Asst. Dir.:
Admin.
Comp. Syst.
Ext. Affairs
Files & Com.
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
Plan. & Eval.
Spec. Inv.
Training
Legal Coun.
Telephone Rm.
Director Sec'y

REC-73 65-74060-4801

EX-101

21 AUG 9 1974

84 AUG 22 1974

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

AUG 05 1974

TELETYPE

Assoc. Dir.
Dep.-A.D.-Adm.
Dep.-A.D.-Inv.
Asst. Dir.:
Admin.
Comp. Syst.
Ext. Affairs
Files & Com.
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
Plan. & Eval.
Spec. Inv.
Training
Legal Coun.
Telephone Rm.
Director Sec'y

NR 001 DE CODE

1:40 PM URGENT AUGUST 5, 1974 ETA

TO DIRECTOR (65-74068)

FROM DETROIT (65-4087) RUC

DANIEL ELLSBERG, ET AL; V. JOHN N. MITCHELL, UNITED STATES DISTRICT COURT, WASHINGTON, D.C., CIVIL ACTION NUMBER 1879-72, BUDED AUGUST 5, 1974.

RE BUREAU TELETYPE, AUGUST 1, 1974 AM 4783

ALL FOLLOWING RESPONSES RELATE TO BOTH DANIEL ELLSBERG AND ANTHONY JOSEPH RUSSO, JR:

A. NO

B. NO

C. F. NOT APPLICABLE

REC-73 65-74068-4803

EX-101

21 AUG 9 1974

NEITHER ELLSBERG OR RUSSO OR PREMISES IN WHICH THEY HAD PROPRIETARY INTEREST HAVE BEEN THE SUBJECT OF ANY ELECTRONIC SURVEILLANCE.

END

JTG FBIHQ CR

84 AUG 22 1974

CC-11

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

8 1974

TELETYPE

NR002 M CODE

12:20PM URGENT AUGUST 5, 1974 PMM

TO DIRECTOR (65-74060)

FROM MILWAUKEE (65-1335) 1P

DANIEL ELLSBERG; ET AL, V. JOHN N. MITCHELL, UNITED STATES DISTRICT COURT, WASHINGTON, D.C.; CIVIL ACTION NO. 1879-72; BUDED: AUGUST 5, 1974.

REBUTEL AUGUST 1, LAST.

MILWAUKEE ELSUR INDICES NEGATIVE RE DANIEL ELLSBERG AND ANTHONY JOSEPH RUSSO, JR., OR KNOWN ALIASES, AND THEREFORE, QUESTIONS A THROUGH F OF CRIMINAL DIVISION MEMORANDUM, DATED APRIL 16, 1969, ARE ANSWERED IN THE NEGATIVE.

REC-73 65-74060-480

END

JTG FBIHQ CLR

EX-101

21 AUG 9 1974

84 AUG 22 1974

OC - 11

Assoc. Dir.
Dep.-A.D.-Adm.
Dep.-A.D.-Inv.
Asst. Dir.:
Admin.
Comp. Syst.
Ext. Affairs
Files & Com.
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
Plan. & Eval.
Spec. Inv.
Training
Legal Coun.
Telephone Rm.
Director Sec'y

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

AUG 05 1974

TELETYPE

Assoc. Dir.	
Dep.-A.D.-Adm.	
Dep.-A.D.-Inv.	
Asst. Dir.:	
Admin.	
Comp. Syst.	
Ext. Affairs	
Files & Com.	
Gen. Inv.	
Ident.	
Inspection	
Intell.	
Laboratory	
Plan. & Eval.	
Spec. Inv.	
Training	
Legal Coun.	
Telephone Rm.	
Director Sec'y	

NR 003 EP CODED

2:47PM URGENT AUGUST , 1974 MGS

TO: DIRECTOR (65-74060)

FROM: EL PASO (65-1019) (RUC)

DANIEL ELLSBERG, ET AL, V. JOHN N. MITCHELL, UNITED STATES DISTRICT COURT, WASHINGTON, D. C., CIVIL ACTION NO. 1879-72, BUDED: AUGUST 5, 1974.

RE BUREAU TELETYPE TO EL PASO, AUGUST 1, 1974.

A CHECK OF EL PASO INDICES IN CAPTIONED MATTER INDICATED ANSWERS TO ITEMS SET OUT IN ENCLOSURE TO BUREAU AIRTEL MAY 2, 1969, ARE AS FOLLOWS:

A. AND B.: NO. ITEMS C. THROUGH F. NOT APPLICABLE.

END.

FBIHQ KLJ CLR

REC-73 65-74060-480

21 AUG 9 1974

84 AUG 22 1974

FD-36 (Rev. 5-22-64)

FBI

Date: 8/5/74

Transmit the following in AIRTEL (Type in plaintext or code)

Via (Priority)

Assoc. Dir.
Dep.-A.D.-Adm.
Dep.-A.D.-Inv.
Asst. Dir.:
Admin.
Comp. Syst.
Ext. Affairs
Files & Com.
Gen. Inv.
Ident.
Inspection WRW
Intell.
Laboratory
Plan. & Eval.
Spec. Inv.
Training
Legal Coun.
Telephone Rm.
Director Sec'y

TO: DIRECTOR, FBI (65-74060)

FROM: SAC, WFO (65-11613) (RUC)

DANIEL ELLSBERG, ET AL, V. JOHN N. MITCHELL,
UNITED STATES DISTRICT COURT,
WASHINGTON, D. C.,
CIVIL ACTION NO. 1879-72
BUDED: 8/5/74

ReButel 8/1/74. AM 4783

WFO ELSUR indices checked 8/2/74 for the period 5/25/72 through 8/1/74 concerning DANIEL ELLSBERG and ANTHONY JOSEPH RUSSO, JR. and found to contain no references to either individual.

REC-73 65-74060-4805

4 AUG 9 1974

EX-101

2 - Bureau
1 - WFO

GRB:jak
(3)

Approved: Sent M Per

Special Agent in Charge

84 AUG 22 1974

* U. S. GOVERNMENT PRINTING OFFICE : 1969 O - 346-090 (11)

Assistant Attorney General
Criminal Division

August 14, 1974

1 - Mr. Wannall
1 - Mr. Hamilton
2 - Mr. Mintz
1 - Mr. Laturno

Director, FBI

REC-35 65-74860-4806

DANIEL ELLSBERG, et al. v.
JOHN N. MITCHELL, et al.
(D. D.C.) CIVIL ACTION NO. 1879-72

ST-103

CONFIDENTIAL

APPROPRIATE AGENCIES
AND FIELD OFFICES
ADVISED BY ROUTING
SLIP(S) OF classified
DATE 5/20/77 led/ar

By memorandum dated July 26, 1974, you advised that on July 8, 1974, the District Court entered an order requiring defendants to answer plaintiffs' Further Interrogatories. You requested that we supply, with respect to this agency, the answers to each of the inquiries contained in the Further Interrogatories. Answers are set forth below and are numbered to correspond to the paragraphs in this document.

1. a. Since July 19, 1968, this agency has only overheard Daniel Ellsberg as a result of electronic surveillances (elsurs) of other individuals.

b. Since July 19, 1968, this agency has not authorized, procured, conducted or received any elsur or other overhearing of wire or oral communications made by or to Anthony Joseph Russo, Jr.

2. a. During an elsur conducted at the residence of Morton C. Halperin, Daniel Ellsberg was overheard on the following dates: ~~April~~ 30, 1969 (four instances), March 25, 1970 (five instances), May 9, 1970, November 11, 1970, November 21, 1970, and November 22, 1970.

[redacted]

Assoc. D
Dep. A
Dep. A
Asst. Di
Admin.
Comp.
Ext. A
Files &
Gen. In
Ident.
Inspection
Intell.
Laboratory
Plan. & Eval.
Spec. Inv.
Training
Legal Coun
Telephone R
Director Sec'y

GML:lsh
(8)

(See Note Page 3.)

Classified by 6080
Exempt from GDS, Categ
Date of Declassification Indefinite

LED/EGM 5/19/77

84 AUG 29 1974

MAIL ROOM ☐ TELETYPE UNIT ☐

Assistant Attorney General
Criminal Division

c

d. No.

er N/A.

CONF IAL

1. Both elsurs were conducted with the approval of the Attorney General under the authority of the President of the United States. The written authorization concerning th is dated May 12, 1969, and was signed by former Attorney General John N. Mitchell. Its present custodian is the United States District Court for the District of Columbia.

1.

ployees of WFO , ar

clerical

- 2 -

Assistant Attorney General
Criminal Division

1. Special Agents [redacted] an [redacted] FBI Headquarters, Washington, D. C., conduct searches of records pertaining to the 17 wiretaps instituted at the direction of the White House and which were originally known to former FBI Assistant to the Director William C. Sullivan and former FBI Director J. Edgar Hoover. Special Agent [redacted] has custody of the Special Indices of the Bureau pertaining to elsurs conducted in both criminal and security matters; however, Agents desiring a check of Special Indices are required to conduct the search themselves. In this instance, searches for overhears in the indices maintained for the 17 White House elsurs were conducted by Special Agent [redacted] Search of the Bureau's Special Indices in the custody of Special Agent [redacted] was conducted by Special Agent [redacted]

CONFIDENTIAL

NOTE: On 9/19/72, Daniel Ellsberg, et al., filed a civil action in Federal court, District of Columbia, against former Attorney General Mitchell, former Acting Director Gray and others seeking wiretap information. The answers to the Further Interrogatories were furnished by the Intelligence Division.

CONFIDENTIAL

NO FOREIGN DISSEMINATION

ROUTE IN ENVELOPE

1 - Mr. W. C. Sullivan
1 - Mr. J. H. Gale
1 - Mr. C. D. Brennan

Assistant Attorney General
Internal Security Division

July 16, 1971

Director, FBI

1 - Mr. W. R. Wannall
1 - Mr. R. J. McCarthy
(1535)
1 - Mr. J. R. Wagoner

ELECTRONIC SURVEILLANCE
INFORMATION REQUEST:
~~CORNELIUS MAHONEY SHEEHAN,~~
~~ALSO KNOWN AS NEIL SHEEHAN, ET AL.~~

Classified by 6080
Exempt from GDS, Category
Date of declassification indefinite
LED/EGM 5/19/77

Reference is made to the telephonic request to Assistant Director C. D. Brennan of this Bureau by Mr. A. William Olson, Deputy Assistant Attorney General, Internal Security Division, on July 9, 1971, for a check of our electronic surveillance records regarding ~~Cornelius Mahoney Sheehan, also known as Neil Sheehan; Susan Mary Sheehan, also known as Susan Mary Black; Susan Mary Margulies, Susan Dowling; Dr. Leslie H. Gelb; Charles M. Cooke; Paul Warnke; Morton Halperin; Sidney Zion; and Spencer Dedell Marx.~~

A review of our records revealed that none of the above individuals have been the subjects of direct electronic coverage. No conversations of ~~Susan Mary Sheehan, Dr. Leslie H. Gelb, Charles M. Cooke, Sidney Zion or Spencer Dedell Marx~~ have been monitored by electronic surveillance devices.

[redacted]

JUL 16 1971 FBI

SECRET
NO FOREIGN DISSEMINATION

65-70180-[redacted]

DELETED PORTIONS MARKED IN RED

SEE NOTE PAGE 2

Assistant Attorney General
Internal Security Division

[redacted]

- Copies of letters authorizing the coverage of the above-mentioned establishments during the pertinent period and copies of the surveillance logs relative to the monitored conversations, along with copies of associated memoranda, were previously hand delivered to Mr. A. William Olson by Special Agent E. R. Harrell. The dates that the conversations were overheard were noted on the surveillance logs delivered to Mr. Olson.

NOTE:

[redacted]

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

[redacted]AL

TO : Mr. J. B. Adams

DATE: August 14, 1974

FROM : W. R. Wannall

SUBJECT: OBSTRUCTION OF JUSTICE IN
U.S. V. DANIEL ELLSBERG, ET AL.

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir. ____
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
Gen. Inv. ____
Ident. ____
Inspection ____
WRWatroll ____
Laboratory ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

Previous memoranda have reported the writer's appearance before the Grand Jury in captioned matter on 8/7/74. During the course of questioning by Mr. Frank Martin of the Special Prosecutor's Office, the writer was referred to an excised copy of the attached document. All information in the document had been excised except that relating to an electronic surveillance check [redacted] Mr. Martin in questioning the writer pointed out that among the material excised there was information indicating electronic surveillances on other individuals and asked if the writer recalled that the complete document so indicated. The writer answered in the affirmative. Mr. Martin then asked if among those individuals on whom there had been electronic surveillances reported in the complete document were [redacted] The writer responded by saying that to the best of his recollection the communication did, in fact, indicate there had been overhearings of conversations of [redacted]

Upon returning to the office, the writer reviewed the original document and noted that while it showed overhearings [redacted] it did not show an overhearing [redacted] but rather overhearings of another individual who was being checked out, one Cornelius Mahoney Sheehan.

REC-35 62-116486-4867

SI-103

At 8:40 a.m., 8/9/74, the writer endeavored to reach Mr. Martin at his office to call this fact to his attention. Mr. Martin was not in but his secretary said he would return the call. At 10:20 a.m., Mr. Martin returned the call and the foregoing was explained to him. He stated that he had framed the question, thinking there had been [redacted] overhearing and understood the reason for the response which the writer had made. He said he could not recall specifically how the Grand Jury record on this matter reads but that he would check it and if it does not read correctly he will probably request the writer to send him a note in order that the record may correctly reflect the facts.

Enclosure

WRW:lml (5)
-1 - Mr. Adams
1 - Mr. Mintz
1 - Mr. Wannall
1 - Mr. Hamilton

ENCLOSURE

CONTINUED AUG 29 1974

8 AUG 29 1974

CONFIDENTIAL

Memorandum to Mr. Adams
Re: OBSTRUCTION OF JUSTICE IN
U.S. V. DANIEL ELLSBERG, ET AL.

Mr. Martin was advised the writer would be on two weeks leave beginning 8/19/74 and was requested to call the writer back as soon as possible. Mr. Martin said there was no urgency in the matter and that he would contact the writer when necessary. As of 11:00 a.m., this date, Mr. Martin has not called back. When he does, necessary action will be taken to correct the Grand Jury record.

ACTION:

For information and record purposes.

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.: ____
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
Gen. Inv. ____
Ident. ____
Inspection ____
Intell. ____
Laboratory ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

TO : Mr. J. B. Adams

DATE: September 3, 1974

FROM : W. R. Wannall WRW

SUBJECT: OBSTRUCTION OF JUSTICE IN
U. S. V. DANIEL ELLSBERG, ET AL.

Reference is made to my memorandum dated 8/14/74 in captioned matter concerning the writer's testimony before the Grand Jury on 8/7/74, and the fact that the writer had contacted Mr. Frank Martin of the Special Prosecutor's Office in order to have a correction made in the Grand Jury record.

Upon return from annual leave today, the attached letter was awaiting the writer in regard to this matter and completes the action to correct the Grand Jury record.

ACTION:

For information and record purposes.

Enclosure

WRW:lml (5)
1 - Mr. Adams
1 - Mr. Mintz
1 - Mr. Wannall
1 - Mr. Hamilton

EX-109

REC-36 65-74060-4808

SEP 5 1974

ENCLOSURE

65-74060

84 SEP 12 1974

5-WRW

FD-68 (Rev. 1-7-72)

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE	OFFICE OF ORIGIN	DATE	INVESTIGATIVE PERIOD
WASHINGTON FIELD	WASHINGTON FIELD	9/13/74	7/12/74-9/12/74

TITLE OF CASE
CHANGED
BERNARD L. BARKER, aka;
JOHN D. EHRLICHMAN;
GEORGE GORDON LIDDY;
EUGENIO MARTINEZ, aka

REPORT MADE BY [redacted]

TYPED BY wme

CHARACTER OF CASE
CR-CONSPIRACY
FALSE DECLARATIONS

Title marked "CHANGED" to reflect removal of FELIPE DEDIEGO, aka, subject of this case in view of the Indictment against him having been dismissed.

- C -

CONVIC.	FUG.	ACCOMPLISHMENTS CLAIMED ☐ NONE FINES	SAVINGS	RECOVERIES	ACQUITTALS	CASE HAS BEEN: PENDING OVER ONE YEAR ☐ YES ☐ NO; PENDING PROSECUTION OVER SIX MONTHS ☐ YES ☐ NO
4	WFO					

APPROVED: SPECIAL AGENT IN CHARGE

DO NOT WRITE IN SPACES BELOW

65-74060-4809

9 SEP 16 1974

COPIES MADE:
(4) Bureau
2-WFO
1-(44-991)
1-(139-166)

Dissemination Record of Attached Report

Agency			
Request Recd.			
Date Fwd.			
How Fwd.			
By			

Notations

- A* -

65-74060

COVER PAGE

FD-204 (Rev. 3-3-59)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: [redacted]
Date: 9/13/74

Office: Washington, D.C.

Field Office File #: 44-991

Bureau File #:

Title:

BERNARD L. BARKER, aka;
JOHN D. EHRLICHMAN;
GEORGE GORDON LIDDY;
EUGENIO MARTINEZ, aka;

Character:

CIVIL RIGHTS-CONSPIRACY; OBSTRUCTION OF JUSTICE
FALSE DECLARATIONS

Synopsis:

Trial of above cited subjects commenced, 6/26/74. On 7/12/74, EHRLICHMAN was found guilty on four (4) counts of the indictment. BARKER, LIDDY and MARTINEZ, were found guilty of conspiracy. On 7/22/74 one count of the indictment charging EHRLICHMAN with Violation Title 18, Section 1001 of United States Code, was dismissed by Judge GESELL. On 7/31/74, EHRLICHMAN was sentenced to twenty months to five years on each count to run concurrently. LIDDY was sentenced to a term of one to three years to run concurrent with his previous sentences. BARKER and MARTINEZ were placed on three years Supervised Probation.

- C -

DETAILS: AT WASHINGTON, D. C.

The trial of JOHN D. EHRLICHMAN, BERNARD L. BARKER, GEORGE GORDON LIDDY and EUGENIO R. MARTINEZ, commenced in United States District Court, before District Court Judge GERHARD GESELL on June 26, 1974.

On July 12, 1974 the jury returned a verdict of guilty on four counts of the indictment against EHRLICHMAN. BARKER, LIDDY and MARTINEZ were found guilty of Conspiracy.

On July 22, 1974, Judge GESELL dismissed the count of violation of Title 18, Section 1001 of the United States Code against EHRLICHMAN.

On September 12, 1974, United States District Court Docket reflected the following information:

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

U.S. GOVERNMENT PRINTING OFFICE : 1970 O - 406-840

On July 31, 1974, EHRLICHMAN was sentenced to a term of twenty months to five years on the remaining three counts, to run concurrently with each other.

GEORGE GORDON LIDDY was sentenced to a term of one to three years, to run concurrently with his previous sentences.

BERNARD L. BARKER and EUGENIO R. MARTINEZ were placed on three years Supervised Probation.

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.: ____
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
Gen. Inv. ____
Ident. ____
Inspection ____
Intell. ____
Laboratory ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

TO : Mr. W.R. Wannall

DATE: 12/23/74

FROM : H.A. Boynton, Jr.

SUBJECT: WATERGATE SPECIAL PROSECUTION FORCE (WSPF)
REQUEST FOR COPY OF MEMORANDUM E.S. MILLER TO
W. MARK FELT DATED 5/21/73 CAPTIONED "ELLSBERG CASE"

On 12/13/74 Special Agent/Liaison Officer James R. Wagoner was interviewed by representatives of the WSPF regarding certain communications which were prepared by SA Wagoner during the last few days of the Daniel Ellsberg trial. These communications related to results of elsur checks requested by the trial judge. These communications were never forwarded out of the Bureau to the Department of Justice for transmittal to the trial judge.

Subsequent to the Ellsberg case being dismissed and at the request of Mr. Felt, SA Wagoner prepared a memorandum setting forth the sequence of events which transpired as a result of specific requests by the trial judge relating to the trial of Daniel Ellsberg. This memorandum became the subject of discussion between SA Wagoner and representatives of the WSPF on 12/13/74. The WSPF has requested a copy of this memorandum which is attached.

ACTION:

If approved, the attached copy of the aforementioned memorandum will be furnished to the WSPF by SA Wagoner.

Enclosure

JRW:tdp (5)
1 - Mr. R.E. Gebhardt
1 - Mr. W.R. Wannall
1 - Mr. Boynton
1 - Mr. Wagoner

EX 104

REC-62

15 DEC 31 1974

F185

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir. ___
Dep. A.D. Adm. ___
Dep. A.D. Inv. ___
Asst. Dir.:
Admin. ___
Comp. Syst. ___
Ext. Affairs ___
Files & Com. ___
Gen. Inv. ___
Ident. ___
Inspection ___
Intell. ___
Laboratory ___
Plan. & Eval. ___
Spec. Inv. ___
Training ___
Legal Coun. ___
Telephone Rm. ___
Director Sec'y ___

TO : Mr. J. B. Adams

DATE: December 11, 1974

FROM : W. R. Wannall

SUBJECT: OBSTRUCTION OF JUSTICE IN U.S.
VERSUS DANIEL ELLSBERG, ET AL.

On the afternoon of 12/11/74 the writer responded to a telephonic request that he contact Mr. Frank Martin of the Special Prosecutor's Office. When contacted, Mr. Martin stated that he and Mr. Jay Horowitz desired to interview the writer at 10:00 a.m., Monday, 12/16/74. The interview would relate to the writer's possible appearance as a witness at the trial in captioned matter.

By memorandum 8/1/74 you were advised that the writer had been requested to testify before the Grand Jury handling this case on 8/7/74. He subsequently did so testify and was questioned concerning a conversation the writer had with former Special Agent [redacted] in July, 1971, with regard to the latter's having made a review of material relating to 17 wiretaps handled under the direction of former Assistant to the Director William C. Sullivan [redacted] at that time informed the writer that a review of this material had resulted in no indications of any electronic surveillance overhearings of Daniel Ellsberg. Subsequent developments indicated there were a number of such overhearings of Ellsberg among the material relating to the 17 wiretaps.

ACTION:

The writer will appear as requested at the Special Prosecutor's Office for interview at 10:00 a.m., 12/16/74.

WRW:lml
(6)
1 - Mr. Callahan
1 - Mr. Adams
1 - Mr. Mintz
1 - Mr. Gebhardt
1 - Mr. Wannall

EX-103

ENCLOSURE

65-74060-4817

REC-59

14 DEC 27 1974

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.: ____
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
Gen. Inv. ____
Ident. ____
Inspection ____
Intell. ____
Laboratory ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

TO : Mr. J. B. Adams

DATE: December 19, 1974

FROM : W. R. Wannall

SUBJECT: OBSTRUCTION OF JUSTICE IN U.S.
VERSUS DANIEL ELLSBERG, ET AL.

Attached memorandum, 12/11/74, advised that the writer was scheduled to be interviewed Monday, 12/16/74, at 10:00 a.m. by Frank Martin and Jay Horowitz of the Special Prosecutor's Office in connection with the writer's possible appearance as a witness at the trial in captioned matter.

At 9:15 a.m., 12/16/74, Frank Martin telephoned to advise that Jay Horowitz would not be available at 10:00 a.m. that day and requested that the writer appear instead for the interview at the Special Prosecutor's Office at 4:00 p.m., Wednesday, 12/18/74, which the writer did.

The interview lasted from 4:00 to 6:30 p.m. and a wide variety of subjects were covered relating to elsur checks on [redacted] knowledge on the part of the Daniel Ellsberg writer with regard to the 17 wiretaps; requests of the writer's knowledge regarding efforts made by former Assistant to the Director E. S. Miller and former Inspector Thomas J. Smith to develop information relating to the 17 wiretaps; response to the Rodino Committee's request for information relating to the Ellsberg case; and information relating to possible knowledge on the part of former Acting Director L. Patrick Gray of the existence of the 17 wiretaps during the time he was undergoing confirmation hearings.

At the conclusion of the interview, the writer was informed that the Special Prosecutor's Office is interested in the writer in connection with his possible appearance at a forthcoming trial insofar as the trial will deal with knowledge on the part of former Special Agent Bernard A. Wells of overhearings of Ellsberg when a letter was sent to the Department on or about 7/13/71 apprising the Department that the Bureau had no record relating to such overhearings.

EX-103 REC-59 65-74060-987

14 DEC 27 1974

ACTION:

For information. Any further developments in this matter will be called to your attention.

WRW:lml (6)

1 - Mr. Callahan
1 - Mr. Gebhardt
1 - Mr. Adams
1 - Mr. Wannall
1 - Mr. Mintz

F185

JAN 10 1975

0-19 (Rev. 1-30-74)

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.:
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
Gen. Inv. ____
Ident. ____
Inspection ____
Intell. ____
Laboratory ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

Nuclear Peril

Daniel Ellsberg says a peril existed during the 1962 Cuban missile crisis that a "low-level military commander could have sent off nuclear weapons." Ellsberg says the late President John F. Kennedy "was very worried about it" and took steps to see that it would not happen.

Nevertheless, Ellsberg has told an interviewer, the peril existed. He says these were his conclusions when he worked as a high-level government consultant to the Defense Department and studied the issue. He said he reported his concern to the Pentagon and was tanked for his efforts.

The Washington Post ____
Washington Star-News AT
Daily News (New York) ____
The New York Times ____
The Wall Street Journal ____
The National Observer ____
The Los Angeles Times ____

Date 12-19-74

65-74060-A

NOT RECORDED
170 DEC 19 1975

58 JAN 13 1975

1 - Mr. Gebhardt
1 - Mr. Mintz
1 - Mr. Wannall
1 - Mr. Hamilton

January 9, 1975

Special Prosecution Force
U. S. Department of Justice

Director, FBI

BY COURIER SERVICE

OBSTRUCTION OF JUSTICE IN
UNITED STATES v. DANIEL ELLSBERG, ET AL.

On December 18, 1974, Messrs. Jay Horowitz and Frank Martin of your office interviewed Assistant Director W. Raymond Wannall of this Bureau. They raised a question as to whether or not Mr. Wannall had made any recording of certain information in early May, 1973, relating to his recollection of a conversation he had had with former [redacted] of this Bureau sometime during July, 1971. Mr. Wannall indicated that he had not made a recording of this.

On December 30, 1974, Mr. Wannall advised Mr. Horowitz by telephone that while he had made no recording with regard to this information during early May, 1973, he had, in fact, located in our files a memorandum which he had prepared August 1, 1974, which set forth the information in question. Mr. Horowitz requested that a copy of the August 1, 1974, memorandum be forwarded to your office.

In compliance with the request, a Xerox copy of the memorandum is attached.

Enclosure

WRW:lml
(7)

EX 104

BY COURIER SVC.
JAN 10 P.M

REC-62 65-74060-5118

19 JAN 16 1975

Assoc. Dir.
Dep. AD Adm.
Dep. AD Inv.
Asst. Dir.:
Admin.
Comp. Syst.
Ext. Affairs
Files & Com.
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
Plan. & Eval.
Spec. Inv.
Training
Legal Coun.
Telephone Rm.

57 JAN 24 1975 233

MAIL ROOM ☒ TELETYPE UNIT ☐

65-74060

SECRET
NO FOREIGN DISSEMINATION

ROUTE IN ENVELOPE

1 - Mr. W. C. Sullivan
1 - Mr. J. H. Gale
1 - Mr. C. D. Brennan

July 16, 1971

1 - Mr. W. R. Wannall
1 - Mr. R. J. McCarthy (1535)
1 - Mr. J. R. Wagoner

Assistant Attorney General
Internal Security Division

Director, FBI

ELECTRONIC SURVEILLANCE
INFORMATION REQUEST:
CORNELIUS MAHONEY SHEEHAN,
ALSO KNOWN AS NEIL SHEEHAN, ET AL.

Reference is made to the telephonic request to Assistant Director C. D. Brennan of this Bureau by Mr. A. William Olson, Deputy Assistant Attorney General, Internal Security Division, on July 9, 1971, for a check of our electronic surveillance records regarding Cornelius Mahoney Sheehan, also known as Neil Sheehan; Susan Mary Sheehan, also known as Susan Mary Black, Susan Mary Margulies, Susan Dowling; Dr. Leslie H. Gelb; Charles M. Cooke; Paul Warnke; Morton Halperin; Sidney Zion; and Spencer Bedell Marx.

A review of our records revealed that none of the above individuals have been the subjects of direct electronic coverage. No conversations of Susan Mary Sheehan, Dr. Leslie H. Gelb, Charles M. Cooke, Sidney Zion or Spencer Bedell Marx have been monitored by electronic surveillance devices.

[redacted]

SECRET
NO FOREIGN DISSEMINATION

JRW:bjp
(9)

GROUP 1
Excluded from automatic downgrading and declassification

JUL 23 1971

MAIL ROOM ☐ TELETYPE UNIT ☐

ENCLOSURE

SEE NOTE PAGE 2

Assistant Attorney General
Internal Security Division

[redacted]

Copies of letters authorizing the coverage of the above-mentioned establishments during the pertinent period and copies of the surveillance logs relative to the monitored conversations, along with copies of associated memoranda, were previously hand delivered to Mr. A. William Olson by Special Agent E. R. Harrell. The dates that the conversations were overheard were noted on the surveillance logs delivered to Mr. Olson.

NOTE:

[redacted]

cting Assistant Attorney General
riminal Division

Director, FBI

January 27, 1975

1 - Mr. Wannall
2 - Mr. Mintz
1 - Mr. Peterson

MORTON H. HALPERIN, et al., v.
HENRY A. KISSINGER, et al.
(D.D.C.)
CIVIL ACTION NO. 1187-73

Reference is made to my memorandum dated December 10, 1974, captioned as above, which forwarded to you certain documents for transmittal to the plaintiffs pursuant to the Court's Discovery Order of April 1, 1974.

Enclosed are the originals of the above-described documents which, except as noted below, are subject to impoundment by the Court pursuant to its Order dated June 28, 1973.

We have discussed with Mr. Edward S. Christenbury of your division the desirability of retaining in our files the originals of Director Hoover's appointment book and telephone logs of his office for certain dates and substitute certified copies thereof to which he agreed. Accordingly, we enclose a certified copy of this information.

Under Item 4, page 2 of my December 10th memorandum, eferred to as "Memo Director, FBI to Asst. AG, 7/16/71," the riginal document is in Departmental files; however, we have enclosed r file copy of this communication. With reference to this document, r. Christenbury has advised that since it contains highly sensitive naterial, he will furnish it to the Court as an attachment to an affidavit executed by the Attorney General claiming privilege.

Under Item 4, page 3 of my December 10th memorandum, referred to as "Note attached to Hoover to Kissinger letter May 13, 1969 referring to May 9 call from Kissinger," we enclose the original file copy which, as explained in the above-referenced memorandum, is utilized for internal purposes only.

ENCLOSURE

DUPLICATE YELLOW 65-74060-

NOT RECORDED
170 JAN 30 1975

Enclosures (8) (See list of enclosures on next page)

1 - Bufile 65-74060 (MCLEK) SECRET MATERIAL ENCLOSED
1 - Bufile 65-75085 (SPECOV) RFP:mbk
(9) (See NOTE next page)

ORIGINAL FILED IN 62-116395-35

Acting Assistant Attorney General
Criminal Division

Re: Morton H. Halperin, et al., v.
Henry A. Kissinger, et al. (D.D.C.)
Civil Action No. 1187-73

ENCLOSURES (8)

Certified copy of certain pages of Director Hoover's appointment book and telephone logs.

Yellow file copy of Bureau memorandum to Assistant Attorney General, Internal Security Division, captioned "Electronic Surveillance Information Request; Cornelius Mahoney Sheehan, aka Neil Sheehan, et al," dated 7-16-71 (Bufile 65-74060-580).

Yellow file copy of Director Hoover's letter to Dr. Henry A. Kissinger dated May 13, 1969, referred to as Item 4, page 3, Exhibit I, 4, in Bureau's memorandum to the Department dated 12-10-74.

Memorandum of telephone call to Director Hoover's office 5-10-69 from Assistant Director Sullivan, identified as enclosure to Bufile 65-75085-264.

Memorandum R. H. Haynes to Mr. W. C. Sullivan dated 5-15-70 captioned "Technical Surveillance Request, White House," (Bufile 65-75085-182).

Signature letter from Assistant Director Sullivan to Director Hoover dated 5-20-69 (Bufile 65-75085-308).

Memorandum W. C. Sullivan to C. D. DeLoach dated 6-20-69 captioned "Colonel Alexander M. Haig, Technical Surveillance Request," (65-75085-315).

Memorandum W. C. Sullivan to C. D. DeLoach dated 6-20-69 captioned "Colonel Alexander M. Haig, Technical Surveillance Request," (65-75085-314).

NOTE: The above-listed enclosures are being forwarded to the Department pursuant to the impoundment order of the court dated 6-28-73.

August 29, 1969 - Ellsberg acted as courier ~~and transported eight volumes of "US-VN Relations"~~ between Washington, D.C. and Los Angeles, California.
(L.A. Teletype to Bureau 6/19/71 and BLHM 6/19/71)

The receipt which was enclosed in the package of documents has never been returned to Rand.
(TT WFO, 6/28/71, 50 p. 4)

These eight volumes and the ten received on March 3, 1969 were turned over to Moorsteen on May 15, 1970 and registered into Rand Top Secret control on May 20.

Ellsberg selected the eight volumes from the 28 remaining volumes (at Rand). He had previously taken 10 volumes from the same set (LHM, 6/30/71, 73 p. 9)

A receipt, signed by Ellsberg, for these 8 volumes states, "I certify that I will retain the above documents in my custody until returned to storage and that I will not reproduce or alter any part or parts thereof."
(DSA Report, 8/5/71, at L)

deleted matter not within scope of request

[redacted]

Late August 1969 - Ellsberg travels to Denver ~~to see John Vann (who was not in Denver at that time)~~ spends some time with ~~his uncle Lou Charsky~~. (TT Denver, 6/27/71, 38 p. 1)

X-6 X-7(C)
X-6 X-7(C)

Ellsberg visits Vann in December 31, 1969. Vann now reportedly in Vietnam. (Id. at 1, 4)

not within scope of request [redacted]

~~Rand~~ travel records indicate Ellsberg departed Washington on August 29 and traveled to Denver where he stayed until September 2. (TT Los Angeles, 6/26/71, 32 p. 2)

X-7(D)
X-7(C)

DATE	CITIES	PURPOSE, INFORMATION, COMMENTS
8/25/69	N.Y.C. - Phila. (flight)	Haverford, Pa. 8/25-28/69 Rand's travel records (L.A. Report, p. 58, 7/2/71) Ellsberg attends War Resister International Conference and meets Wallrich. (Denver TT 7/6/71)
8/28/69	Philadelphia - WDC	Stays at Executive House 8/28-29. (L.A. Report p. 58, 7/2/71)
8/29/69	WDC - Denver	Denver, 8/29-9/2. ~~Ellsberg receives 8 volumes of the 38 volume set of "McNamara Study" as couri~~ (L.A. Report, p. 58, 7/2/71) (LHM 6/30/71) (TT Denver 7/6/71)
9/2/69	Denver - L.A.	(L.A. Report, p. 58, 7/2/71)

not within scope of request

not in scope of request

not in scope of request

Ellsberg's tickets for the return from WDC to Santa Monica purchased ~~for him by Rand-Santa Monica~~ on August 20, 1969, were for Flight 743, United Airlines on August 29, 1969, from Dulles to Denver, and Flight 751 Continental Airlines on September 2, 1969, from Denver to L.A. The scheduled departure time for Continental Flight 751 on that date was 11:30 a.m. ~~Rand's logs show~~ Ellsberg arrived at Rand at 3:30 p.m. on September 2, 1969. ~~The log shows no entry on August 30~~

CONFIDENTIAL

not in scope of request

DATE	CITIES	PURPOSE, INFORMATION, COMMENTS
		or August 31. The logs for the days August 25 through August 29 were destroyed by fire at Rand's satellite location, housing some administrative operations. (L.A. Report, p. 58, 7/21/71)
9/24/69	Santa Monica	Raphauls Restaurant $23.10, Bank-Americard (L.A. Report 8/11/71)
10/1/69	L.A.	Cafe Figaro $19.10, Am. Exp. (TT Phoenix 7/15/71)
10/4/69	L.A.	[redacted]
10/4/69	Beverly Hills	Discount Records $15.98, Bank-Americard (LA. Report 8/11/71)
10/7/69	Pacific Palisades	[redacted]

REC-46 65-74060-4820

March 6, 1975

1 - Mr. Wannall - Enc/
1 - Mr. Mintz

[redacted]

Your letter of February 19th addressed to Mr. John W. Hushen of the Department of Justice requesting final summary reports of the FBI investigation in connection with the so-called Pentagon Papers in 1971 and of Dr. Daniel Ellsberg has been referred to this Bureau and was received on February 25th.

With regard to your request, in light of the privacy aspects of the amended Freedom of Information Act, and experience in processing prior requests for data from our files, it is necessary for you to submit a notarized authorization letter from Dr. Daniel Ellsberg granting approval for you to obtain and utilize any material we will be able to furnish you. Submission of this letter should not be interpreted as a guarantee that you will be furnished all of the data you requested. However, upon receipt of this letter, files will be reviewed and any information we are authorized to release will be sent to you.

Sincerely yours,
C. M. Kelley

MAILED 7
MAR 6 1975
FBI

Clarence M. Kelley
Director

1 - The Deputy Attorney General - Enclosure
~~1 - Bufile 62-115530 (FOI-REPLIES)~~

NOTE: Bufiles contain 3 main files on Daniel Ellsberg and approximately 100 sees and one main file on Pentagon Papers. (65-75740; 139-4757; 65-74060; 62-114930). On basis of information furnished, correspondent could not be identified; however, we have had prior correspondence with associates of the above papers.

Assoc. Dir.
Dep. AD Adm.
Dep. AD Inv.
Asst. Dir.:
Admin.
Comp. Syst.
Ext. Affairs
Files & Com.
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
Plan. & Eval.
Spec. Inv.
Training
Legal Coun.
Telephone Rm.
Director Sec'y

MAR 24 1975

TELETYPE UNIT

GSA GEN. REG. NO. 27

UNITED STATES GOVERNMENT

Memoranaum

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.:
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
Gen. Inv. ____
Ident. ____
Inspection ____
Intell. ____
Laboratory ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

TO : MR. ASH

DATE: 3-20-75

FROM : E. F. Johnson

SUBJECT: MC LEK;
SIO

LATENT FINGERPRINT SECTION EXHIBITS

Numerous bulky exhibits were prepared by the Fingerprint Specialist who testified in the trial of Daniel Ellsberg and others. This trial was declared a mistrial and at the present time there is no indication that the case will be retried.

Two boxes of exhibits and photographs of the numerous latent prints developed in this case are being forwarded to the Files and Communications Division with a copy of this memorandum for storage as a bulky enclosure to captioned file.

RECOMMENDATION:

Forward to Files and Communications Division.

65-74060

1 - Mr. McDermott

GEG:lmp
(6)

65-74060-4421

REC-1

4-1
APR 3 1975

ENCLOSURE TO FOLLOW

53 APR 3 1975

RESULTS OF FBI EXAMINATION

FOR LATENT PRINTS

or Document	Individual	No. of Fingerprints	Penciled Page #	Actual Page #	Location
	Anthony Russo	1		Title page	front
661 nam & the U.S.)-1950					
	Daniel Ellsberg	1		A-4	front
		1		A-41	front
		1		A-42	front
		1		A-47	front
		1		A-49	front
		1		Divider IA3	front
		1		Divider B the character	front

or Document	Individual	No. of Fingerprints	Penciled Page #	Actual Page #	Location
;. Involvement in Franco - Viet n War)-1954	Daniel Ellsberg	1		A-48	front

or Document	Individual	No. of Fingerprints	Penciled Page #	Actual Page #	Location
2 663A or France dochina -1954	Anthony Russo	1			front cover
	Daniel Ellsberg	1		Back cover.	back

or Document	Individual	No. of Fingerprints	Penciled Page #	Actual Page #	Location
5 ution of the War in of the Insurgency -1960	Anthony Russo	Palm prints 1	1	Title page	front
	Daniel Ellsberg	1	2	Forward	front
		3	62	9	front
		1	155	49	front
		1	157	51	front
		1	164	58	front
		1	178	72	front
		1	223	32	front
		1	226	35	front
		1	228	37	front
		1	231	40	front
		1	232	41	front
		1	235	44	front
		1	249	58	front
		1	258	67	front
		1	261	70	front
		1	279	88	front

or Document	Individual	No. of Fingerprints	Penciled Page #	Actual Page #	Location
5	Anthony Russo	4		2	back
364C		2		6	back
Overthrow of		1		20	back
Dinh Diem,		3		26	back
- Nov 1963		4		28	back
		3		29	back
		4		42	back
		3		43	back
		2		44	back
		3		47	back
		2		57	back
		1		58	front
		1		59	back

or Document	Individual	No. of Fingerprints	Penciled Page #	Actual Page #	Location
4	Anthony Russo	1	5	iii	front
65A		1	6	Divider table of content	back
ıtion of the War		1	7	iv	front
ne Combat Units		3	8	v	front
o Da Nang		1	9	vi	front
h 1965		2	10	vii	front
		1	11	viii	front
		4	15	xii	front
		1	31	Divider "The Situation"	back
	Daniel Ellsberg	1	15	xii	front

or Document	Individual	No. of Fingerprints	Penciled Page #	Actual Page #	Location
5	Anthony Russo	2		1	front
665B		1		5	back
se I in the		3		13	back
d-Up of U. S.		4		22	back
ces, The Debate		1		49	front
ch - July 1965		1		64	back
		2		68	front
		2		69	back
		1		70	back
		1		84	front
		2		Page marked U S Move	back
		7		Summary	back
		2		Chronology	back
		Palm print 1		Page marked U S Move	back

or Document	Individual	No. of Fingerprints	Penciled Page #	Actual Page #	Location
8	Anthony Russo	3	90	74	back
		5	91	75	1 front
665C					4 back
Emphasis		1	92	76	front
acification					
-1967					

or Document	Individual	No. of Fingerprints	Penciled Page #	Actual Page #	Location
		1		Front cover	front
9 (a)	Anthony Russo	1	3	i	front
365D		1	5	iii	front
. GVN		1	15	3	front
tions Vol. I		1	23	Index	front
1963		2	64	41	front
1965		1	76	53	back
		3	79	56	back
		3	80	57	back
		2	81	58	back
		2	85	62	1 front
					1 back
		1	86	63	front
		3	87	64	back
		1	91	68	front
		Palm prints			
		1	14	2	back
		1	85	62	back
	Daniel Ellsberg	1	100	76	back

or Document	Individual	No. of Fingerprints	Penciled Page #	Actual Page #	Location
9 (b)	Anthony Russo	1	11	viii	front
-GVN tions	Linda Sinay	1	79	56	back
II 1965 - 1967	Daniel Ellsberg	1	3	i	front
		1	30	7	back
		1	47	24	front
		1	52	29	front

or Document	Individual	No. of Fingerprints	Penciled Page #	Actual Page #	Location
1 ement of the ict ory of Contacts tiations -1966	Anthony Russo	Palm prints 1 1		front cover title page	outside front

or Document	Individual	No. of Fingerprints	Penciled Page #	Actual Page #	Location
4	Anthony Russo	1	52	13	back
566D		1	53	14	back
ries of Contacts:		1	62	7	back
- 1968		3	63	8	front
		1	66	11	back
		1	67	12	front
		1	107	6	front
		5	207	17	back
		4	208	18	1 front 3 back
		2	209	19	1 front 1 back
		1	210	20	front
		Number of palm prints			
		1	53	14	back
		1	55	16	back
		1	207	17	back
		1	208	18	back
		1	209	19	back
	Daniel Ellsberg	1	290	Divider "Killy"	back
	Vu Van Thai	2	7	4	front
		1	28	19	front
		1	29	20	back
		2	30	21	back
		1	36	27	back
		1	39	30	back
		1	100	45	back
		1	205	15	back

or Document	Individual	No. of Fingerprints	Penciled Page #	Actual Page #	Location
234	Anthony Russo	2	2	Top Secret	front
t of Chairman,		1	8	13	front
on Situation in		1	9	4	front
am and MACV					
e Requirements		Palm print			
ler Report		1	2	Top/Secret	front

or Document	Individual	No. of Fingerprints	Penciled Page #	Actual Page #	Location
				back cover	outer surface
286	Robert Ellsberg	2		Record of	front
tiation		3		Access	
Vietnam:				95	front
se Study		2	7	97	front
e 1954		1	8	104	back
va Conference		1	11	116	back
. Gurtov		1	17	154	back
		1	36	222	back
		1	70	225	front
		1	72	230	back
		1	74	239	front
		1	80	241	front
		1	81	249	front
		1	85	254	back
		1	87	264	back
		2	92		
		Palm prints			
		3		back cover	outer surface
		3		Record of	front
				Access	

1 - 85 Sat. Fgpts (1 w lower joint, comp'd imsofar as poss)

2 - 17 Sat Fgpts, not ø - R&D

3 - 33 Sat. Fgpts, + 2 Sat Imp's (imp's Comp'd imsofar as poss) not ø - R&D

4 - 37 Sat. Fgpts - not ø R&D

5 - 36 Sat. Fgpts - 1 ø Daniel Ellsberg. - Remaining not ø Daniel Ellsberg. R&D

6 - 12 Sat. Fgpts + 1 Sat. Imp (Imp. Comp'd imsofar as poss, not ø) - 4 Sat. Fgpts ø Daniel Ellsberg. Remaining Sat. Fgpts not ø " " . R&D

7 - 24 Prev. comp'd (Sept 7 10 17 31 32)

25 48 Sat is verified ø

26 - 3 Sat fgpts ø #9 Daniel Ellsberg - Remaining Sat fgpt - not affected opp

27 no ø EEG

28 Wrist 12

29 2 ø EEG ø's Verified HRD

30 3 ø EEG

31 no ø EEG

32 " "

33 " "

34 " "

35 " "

36 no ø EEG

37 - 43 no ø Sat

44 - ø

45 - ø

46 - ø

47 - ø

48 - ø

49 - ø

50 - ø

51 - ø

52 - no ø Sat

53 EM

54 EM

55 EM

56 EM

57 EM

58 EM (no ppo)

59 EM

60 EM

61 EM 79 - not ø - ø

62 EM 80 - not ø - ø

63 EM

64 EM - 81 - 1 ø Low Verified

65 EM 82 - not ø - ø

66 EM 83 not ø Low

67 EM 84 - not ø - ø

68 not ø - ø 85 - not ø

69 - not ø - ø 86 ø

70 not ø - ø 87 3 ø D. Ellsberg R&D Verified

71 - not ø - ø

72 no ø Low

73 not ø - ø 88 - 100 - EM

74 - not ø - ø 101 3 fgpts ø EEG Verified

75 - not ø - ø 102 EM

103

76 1 - pp only 104 1 ø D. Ellsberg EM Verified

77 - not ø ø

78 not ø Low 105 - 109 EM WS

110 - 9012 3 ø

MASTER

1-43 Cond
105 131 J1

LAST NAME: ELLSBERG | FIRST NAME: DANIEL | MIDDLE NAME:

SEX: M | RACE: W

HEIGHT: 70 | WEIGHT: 170-190

HAIR: gray | EYES: blue

DATE OF BIRTH: 4-7-31

PLACE OF BIRTH: Chicago, Ill.

CONTRIBUTOR AND ADDRESS: U.S. MARSHAL BOSTON, MASS. 02101

ALIASES

SIGNATURE OF PERSON FINGERPRINTED

SCARS, MARKS, OR AMPUTATIONS: scar to the left of the left eyebrow

YOUR NUMBER: 2 — 4758

PLACE FBI NO. HERE

LEAVE THIS SPACE BLANK

CLASS. 9 0 14 U IIO
I 22 U I Om

REF. 6 6 14

SIGNATURE OF OFFICIAL TAKING FINGERPRINTS

DATE: 6-28-71

REPLY DESIRED? [X] YES [ ] NO

REPLY WILL BE SENT IN ALL CASES IF SUBJECT FOUND TO BE WANTED.

1. RIGHT THUMB | 2. RIGHT INDEX | 3. RIGHT MIDDLE | 4. RIGHT RING | 5. RIGHT LITTLE

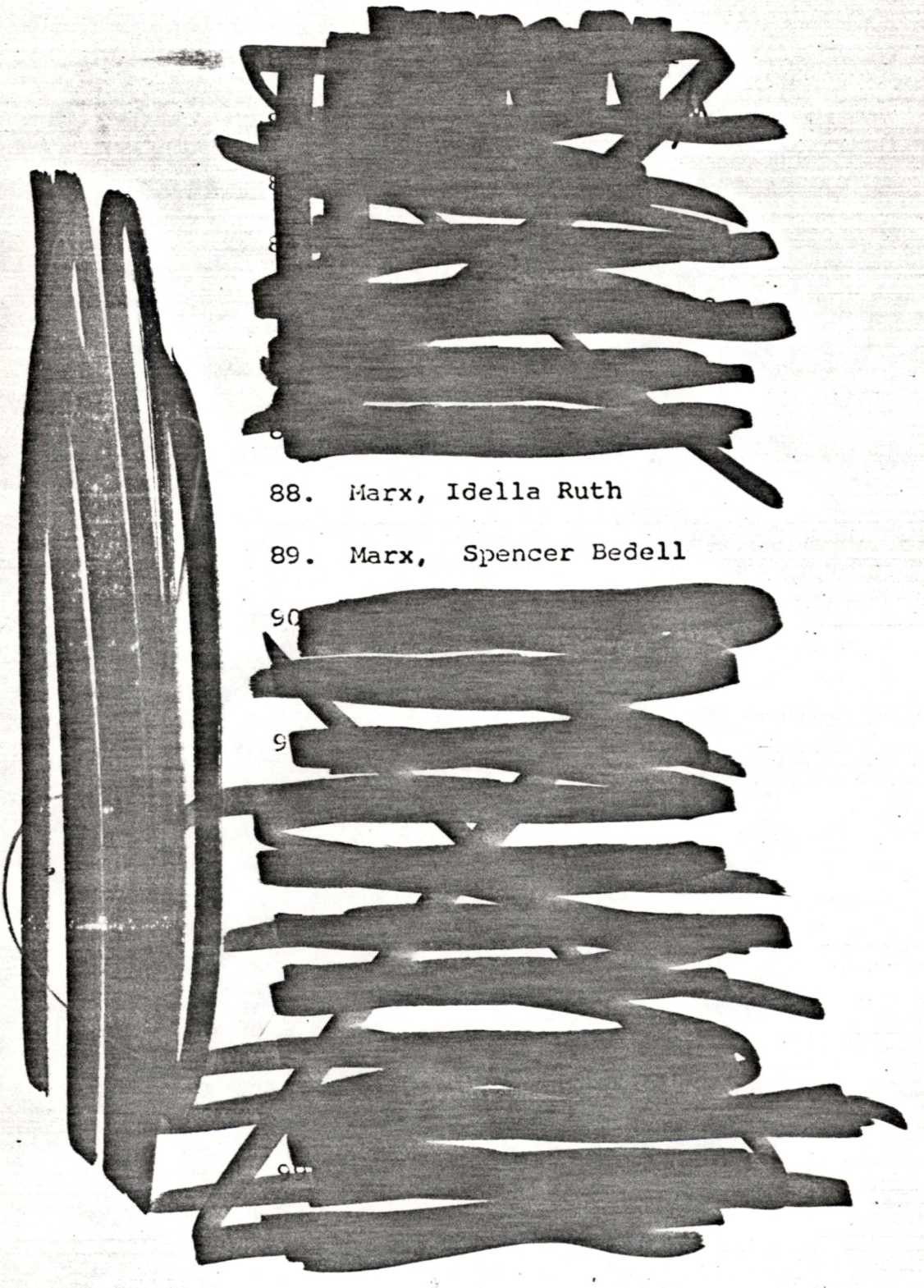
6. LEFT THUMB | 7. LEFT INDEX | 8. LEFT MIDDLE | 9. LEFT RING | 10. LEFT LITTLE

NO ANS 8 5 71 200

LEFT FOUR FINGERS TAKEN SIMULTANEOUSLY | LEFT THUMB | RIGHT THUMB | RIGHT FOUR FINGERS TAKEN SIMULTANEOUSLY

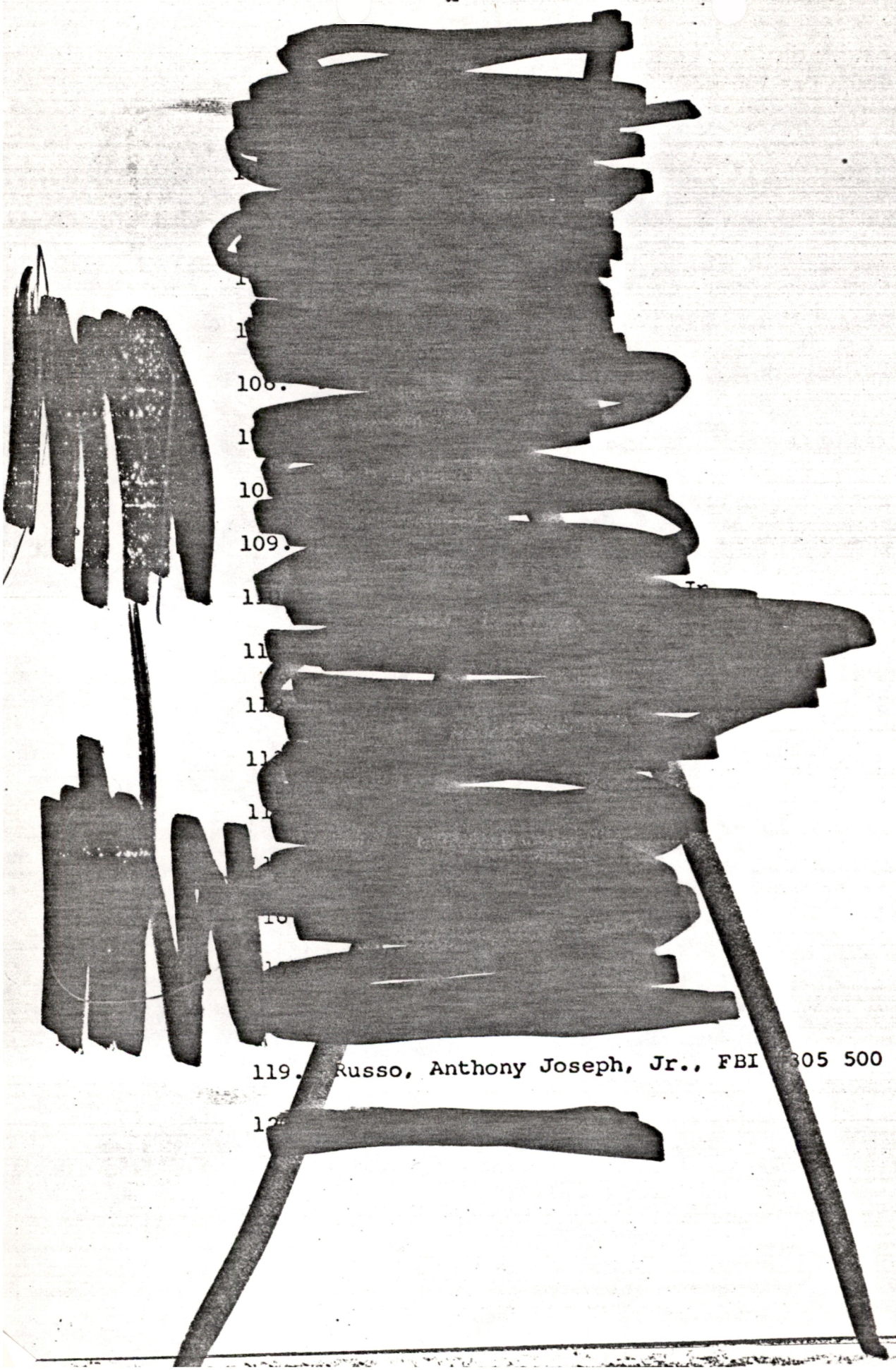
14 AM-13-(4)-2

GPO 048—16—80457-1 353-830



88. Marx, Idella Ruth

89. Marx, Spencer Bedell



119. Russo, Anthony Joseph, Jr., FBI [illegible]305 500 J3

Unable to locate fingerprint record.

[redacted]

6. Ellsberg, Patricia Valerie

[redacted]

Vol. or Document	Individual	No. of Fingerprints	Penciled Page #	Actual Page #	Location
I TS 3661 Vietnam & the U.S. 1940-1950	Anthony Russo	1		Title page	front
	Daniel Ellsberg	1		A-4	front
		1		A-41	front
		1		A-42	front
		1		A-47	front
		1		A-49	front
		1		Divider IA3	front
		1		Divider B the character	front
		7			

Vol. or Document	Individual	No. of Fingerprints	Penciled Page #	Actual Page #	Location
II U. S. Involvement in the Franco - Viet Minh War 1950-1954	Daniel Ellsberg	1		A-48	front

Vol. or Document	Individual	No. of Fingerprints	Penciled Page #	Actual Page #	Location
IV A 2 TS 3663A Aid for France in Indochina 1950-1954	Anthony Russo	1			front co
	Daniel Ellsberg	1		Back cover	back

Vol. or Document	Individual	No. of Fingerprints	Penciled Page #	Actual Page #	Location
IV A 5 Evolution of the War Origin of the Insurgency 1954-1960	Anthony Russo	Palm prints 1	1	Title page	front
	Daniel Ellsberg	1	2	Forward	front
		3	62	9	front
		1	155	49	front
		1	157	51	front
		1	164	58	front
		1	178	72	front
		1	223	32	front
		1	226	35	front
		1	228	37	front
		1	231	40	front
		1	232	41	front
		1	235	44	front
		1	249	58	front
		1	258	67	front
		1	261	70	front
		1	279	88	front
		18			

Vol. or Document	Individual	No. of Fingerprints	Penciled Page #	Actual Page #	Location
IV B 5 TS 3664C the Overthrow of Ngo Dinh Diem, May - Nov 1963	Anthony Russo	4		2	back
		2		6	back
		1		20	back
		3		26	back
		4		28	back
		3		29	back
		4		42	back
		3		43	back
		2		44	back
		3		47	back
		2		57	back
		1		58	front
		1		59	back
		33			

Vol. or Document	Individual	No. of Fingerprints	Penciled Page #	Actual Page #	Location
IV C 4 TS 3665A Evolution of the War Marine Combat Units Go to Da Nang March 1965	Anthony Russo	1	5	iii	front
		1	6	Divider table of content	back
		1	7	iv	front
		3	8	v	front
		1	9	vi	front
		2	10	vii	front
		1	11	viii	front
		4	15	xii	front
		1	31	Divider "The Situation"	back
		~~1~~ 15			
	Daniel Ellsberg	1	15	xii	front

Vol. or Document	Individual	No. of Fingerprints	Penciled Page #	Actual Page #	Location
IV C 5 TS 3665B Phase I in the Build-Up of U. S. Forces, The Debate March - July 1965	Anthony Russo	2		1	front
		1		5	back
		3		13	back
		4		22	back
		1		49	front
		1		64	back
		2		68	front
		2		69	back
		1		70	back
		1		84	front
		2		Page marked U S Move	back
		7		Summary	back
		2		Chronology	back
		29			
		Palm print 1		Page marked U S Move	back

Vol. or Document	Individual	No. of Fingerprints	Penciled Page #	Actual Page #	Location
IV C 8 TS 3665C Re-Emphasis on Pacification 1965-1967	Anthony Russo	3	90	74	back
		5	91	75	1 front
					4 back
		1	92	76	front
		9			

Vol. or Document	Individual	No. of Fingerprints	Penciled Page #	Actual Page #	Location
IV C 9 (a) TS 3665D U. S. GVN Relations Vol. I Dec. 1963 Jun 1965	Anthony Russo	1		Front cover	front
		1	3	i	front
		1	5	iii	front
		1	15	3	front
		1	23	Index	front
		1	64	41	front
		2	76	53	back
		1	79	56	back
		3	80	57	back
		3	81	58	back
		2	85	62	1 front
		2			1 back
		1	86	63	front
		3	87	64	back
		1	91	68	front
		23			
		Palm prints			
		1	14	2	back
		1	85	62	back
	Daniel Ellsberg	1	100	76	back

Vol. or Document	Individual	No. of Fingerprints	Penciled Page #	Actual Page #	Location
IV C 9 (b) U.S.-GVN Relations Vol. II July 1965 - Dec. 1967	Anthony Russo	1	11	viii	front
	Linda Sinay	1	79	56	back
	Daniel Ellsberg	1	3	i	front
		1	30	7	back
		1	47	24	front
		1	52	29	front

Vol. or Document	Individual	No. of Fingerprints	Penciled Page #	Actual Page #	Location
VI. C. 1 Settlement of the conflict History of Contacts Negotiations 1965-1966	Anthony Russo	Palm prints 1 1		front cover title page	outside front

Vol. or Document	Individual	No. of Fingerprints	Penciled Page #	Actual Page #	Location
VI C 4 TS 3666D Histories of Contacts: 1967 - 1968	Anthony Russo	1	52	13	back
		1	53	14	back
		1	62	7	back
		3	63	8	front
		1	66	11	back
		1	67	12	front
		1	107	6	front
		5	207	17	back
		4	208	18	1 front 3 back
		2	209	19	1 front 1 back
		1	210	20	front
		21			
		Number of palm prints			
		1	53	14	back
		1	55	16	back
		1	207	17	back
		1	208	18	back
		1	209	19	back
	Daniel Ellsberg	1	290	Divider "Killy"	back
	[redacted]	2	7	4	front
		1	28	19	front
		1	29	20	back
		2	30	21	back
		1	36	27	back
		1	39	30	back
		1	100	45	back
		1	205	15	back
		10			

Vol. or Document	Individual	No. of Fingerprints	Penciled Page #	Actual Page #	Location
T S 3234	Anthony Russo	2	2	Top Secret	front
Report of Chairman,		1	8	13	front
JCS, on Situation in		1	9	4	front
Vietnam and MACV					
Force Requirements		Palm print			
Wheeler Report		1	2	Top/Secret	front

Vol. or Document	Individual	No. of Fingerprints	Penciled Page #	Actual Page #	Location
TS 3286 Negotiation and Vietnam: A case Study of the 1954 Geneva Conference by M. Gurtov	Robert Ellsberg	2		back cover	outer surfa
		3		Record of Access	front
		2	7	95	front
		1	8	97	front
		1	11	104	back
		1	17	116	back
		1	36	154	back
		1	70	222	back
		1	72	225	front
		1	74	230	back
		1	80	239	front
		1	81	241	front
		1	85	249	front
		1	87	254	back
		1	92	264	back
		2			
		20			
		Palm prints			
		3		back cover	outer surfa
		3		Record of Access	front

1-36 (Rev. 11-6-63)

FEDERAL BUREAU OF INVESTIGATION
LATENT FINGERPRINT SECTION WORK SHEET

Recorded: 2-4-72 4:00 p.m. lja

Reference No: 65-11613
FBI File No: 65-74060
Latent Case No: A-38774

Received: 2-4-72

Answer to: SAC, WFO

Examination requested by: Addressee

Copy to:

RE: MC LEK
SIO

Date of reference communication: Airtel 2-4-72. Evidence personally delivered to LFPS on 2-4-72 by SA Ronald Carpenter

Specimens:

LA #2, Volumes V. B. 3b
LA #2, Volume II
LA #2, V. B. 4, book II
LA #3-1
LA# 3-2
LA# 5
LA# 6
LA# 7
LA# 20

Result of examination:

Examination by: Hippensteel
Evidence noted by:

Received 2/10/72
Ronald B Carpenter, WFO

Examination completed _____ Time _____ Date

Dictated _____ Date

Specimens
WF22-1 thru
WF22-13

Received 3/13/72

[redacted]

WFO

Typed by

[redacted]

from

Received 3/13/72

[redacted]

WFO

G-5-74060

CHARTS PREPARED

Topotato 2/9 VII C-4 ENV. # 1

1- D. Ellsberg - #6 finger. P290 (B-L.E) prepared
2- ✓ Russo. #7 finger - P209 prepared
3- ✓ THAI - #2 finger. P36 (B-L.E.) prepared

10 potato 2/9 VII C-1 ENV. # 4

1- ✓ Palm Print. Russo - PAGE # 1 (LEFT PALM) prepared

10 potato 2/9 VII C. 9(b) ENV. # 6

11- SINAY - #6 finger. P79 (B-L.E.) prepared

Topotato 2/9 VII C-4 ENV. # 10

1- Russo - #1 finger (PENCILED #5) prepared

Topotato 2/8 VII B-5 ENV. # 14

1- Russo - #3 finger (B-43) prepared

To PHOTO 2/9

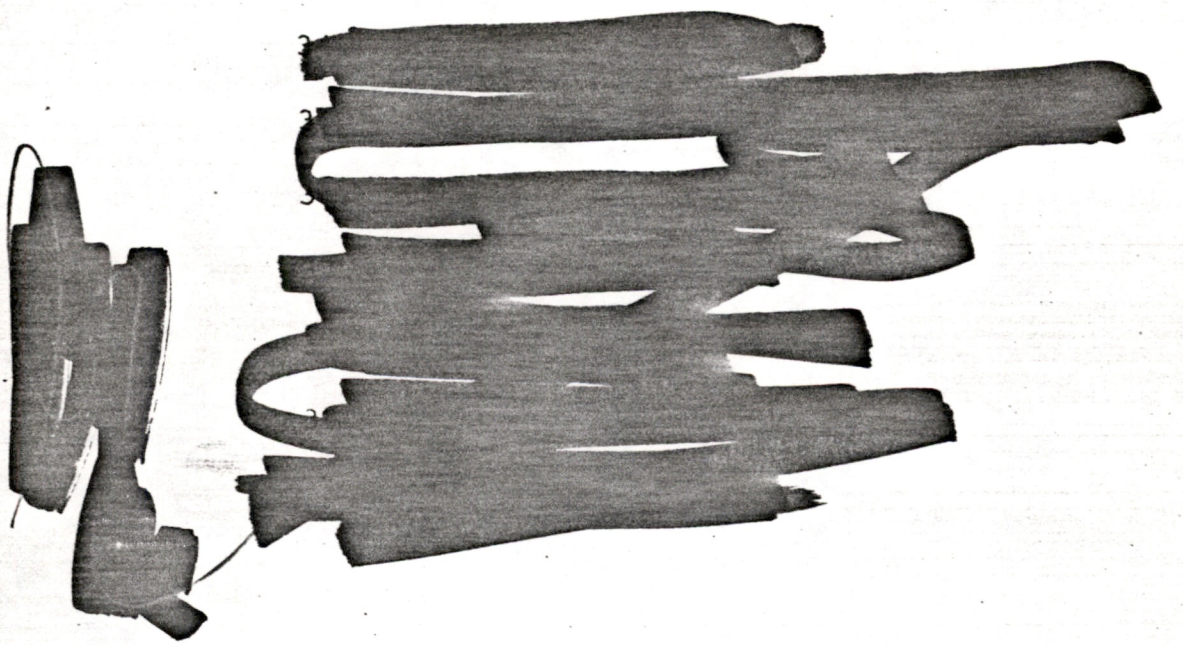
II C-5

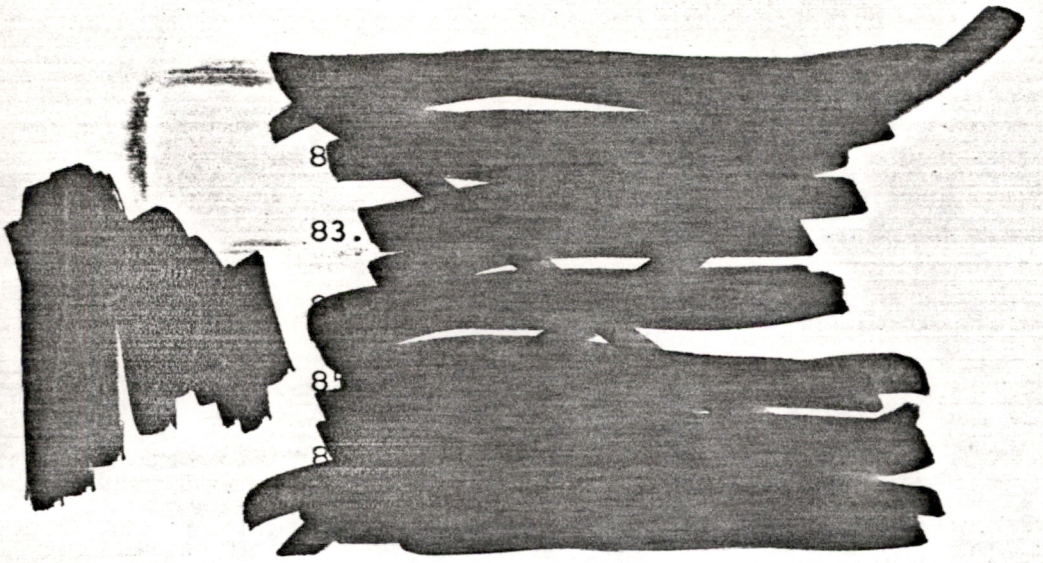
1- RUSSO - #6 flipper (B64 45m)
deflated



32. Ellsberg, Daniel, FBI #105 131J1

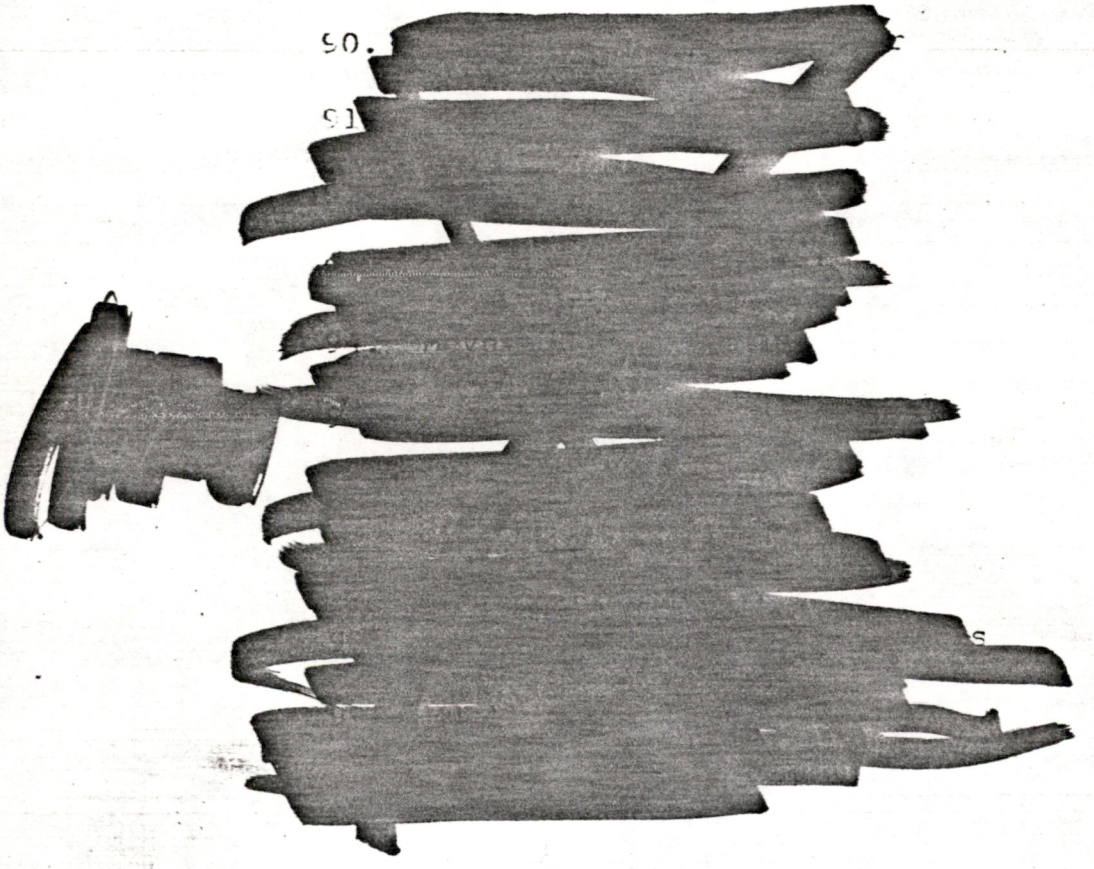
33. Ellsberg, Robert Boyd

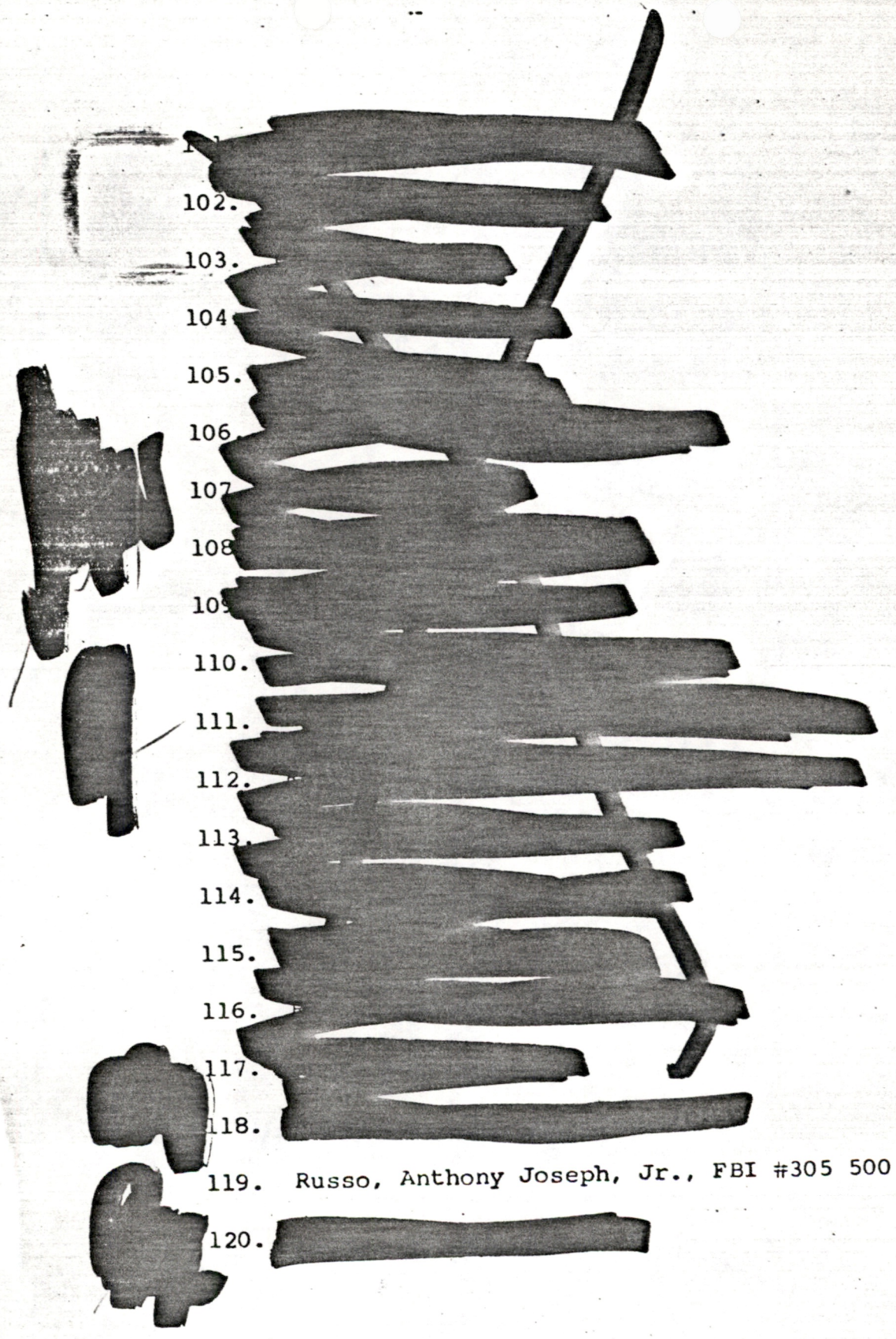




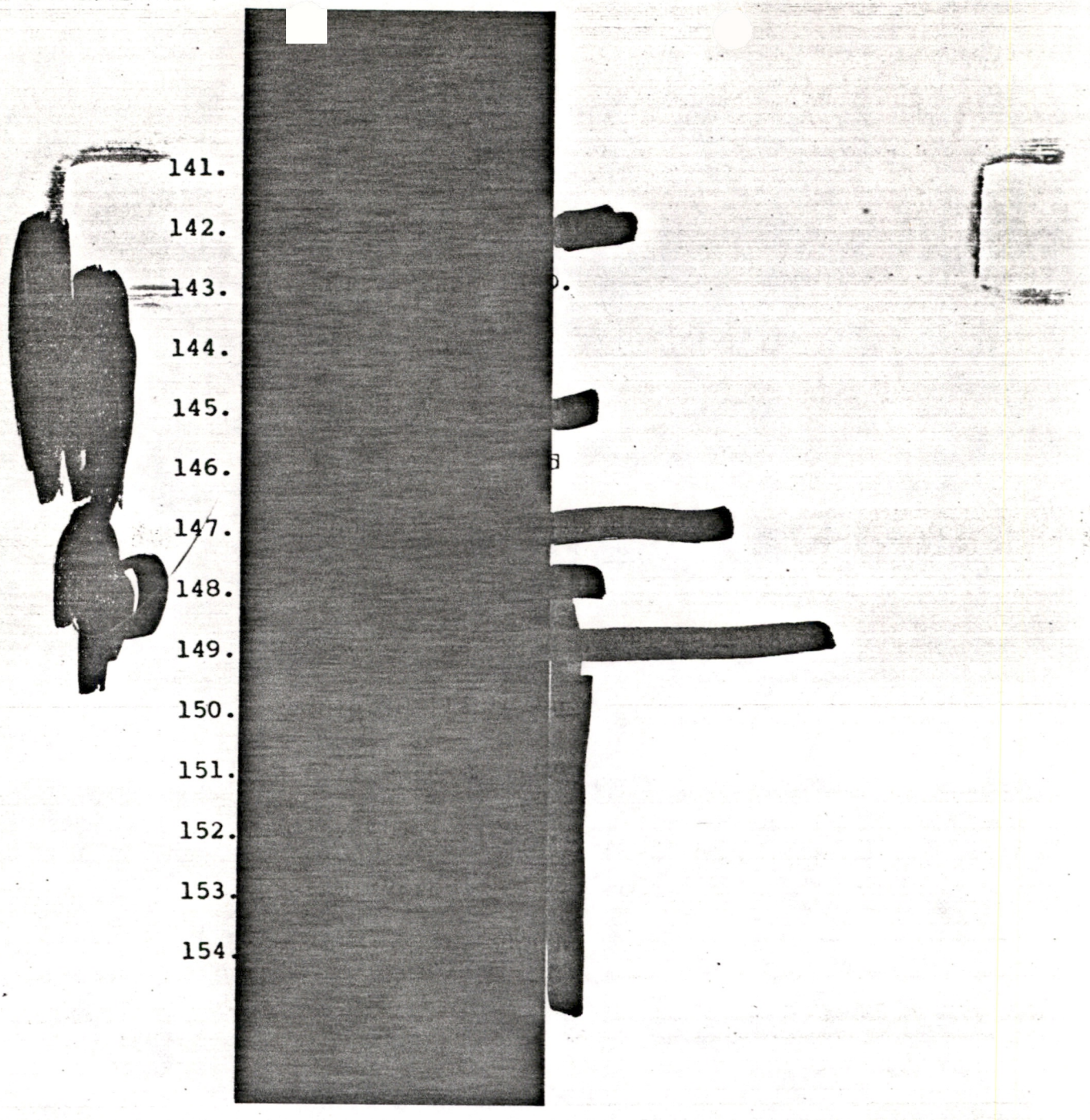
88. Marx, Idella Ruth

89. Marx, Spencer Bedell

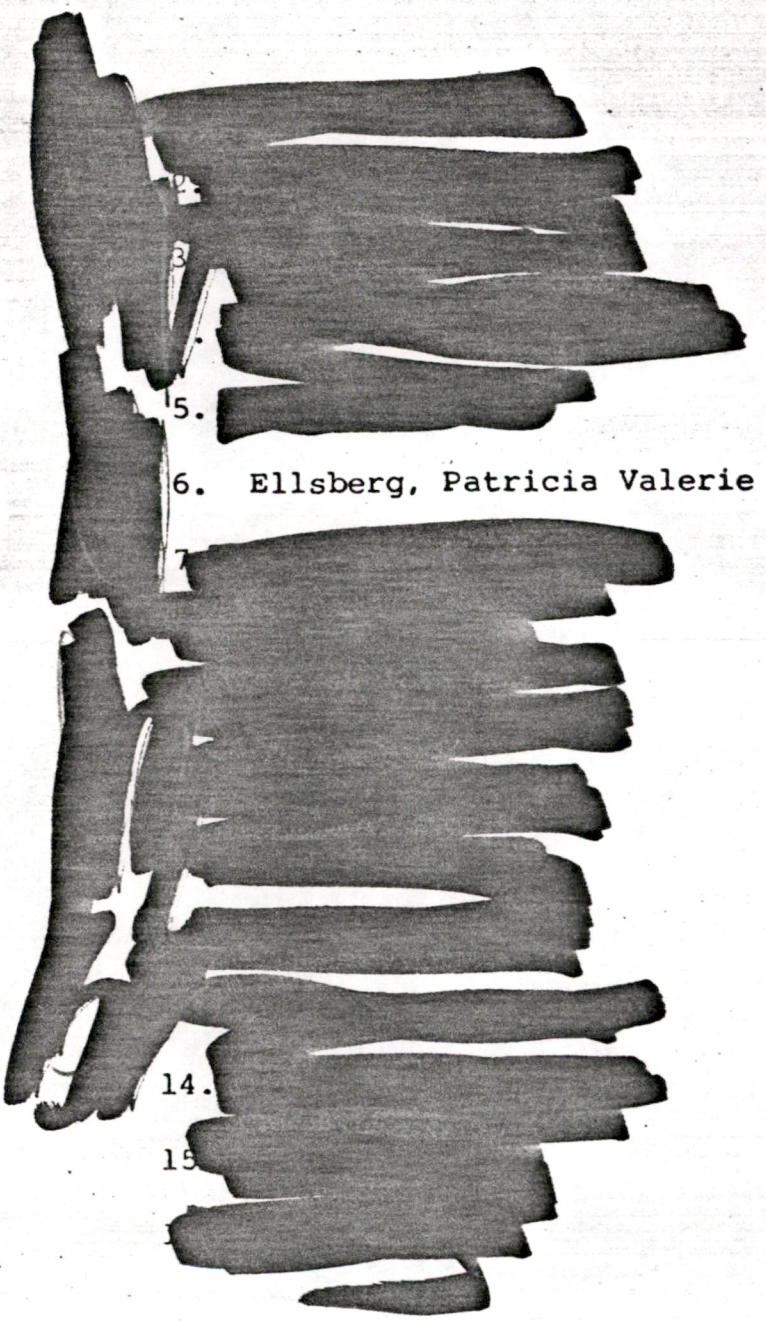




119. Russo, Anthony Joseph, Jr., FBI #305 500 J3


141.
142.
143.
144.
145.
146.
147.
148.
149.
150.
151.
152.
153.
154.

Unable to locate fingerprint record.



6. Ellsberg, Patricia Valerie


ONE INCH
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
CASE NO. 65-74066
LCN A-38774
3/6
Q4-6
Vol. IV, C. 4.
Q15-F
L-8
a. Assist
country the wid
to resisting Co
b. Obtain
military interv
prevent the los
TO
N. under
ensus of pul
domination
ical agreem
South Viet
country to

ELLSBERG, DANIEL

1-267
ONE INCH
Vol. IV. A.5.
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
CASE NO. 65-74060
P-261-F
R-B
#1
TOP SECRET - Sensitive

1-267
ONE INCH
Vol. IV. A.5.
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
CASE NO. 65-74060
P-279-F
R-B
#1
TOP SECRET - Sensitive

1-267
ONE INCH
Vol. IV. A.5.
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
CASE NO. 65-74060
P-2-F
L-B
#2

DANIEL ELLSBERG FBI # 151-1
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
CASE NO. A-38274
IV.C.4(a) PLOD
B-ML
#3

RECEIVED
OFFICE OF THE
MAR 13 3 00 PM '75
DEPUTY
ATTORNEY GENERAL

RABINOWITZ, BOUDIN & STANDARD
ATTORNEYS AT LAW
30 EAST 42ND STREET
NEW YORK, N.Y. 10017
OXFORD 7-8640

CABLE: RABOUDIN
430 NATIONAL PRESS BUILDING
14TH AND F STREETS N.W.
WASHINGTON, D.C. 20004
(202) 628-4047

VICTOR RABINOWITZ
LEONARD B. BOUDIN
MICHAEL B. STANDARD
JOAN GOLDBERG
DORIAN BOWMAN

MICHAEL KRINSKY
K. RANDLETT WALSTER
HERBERT JORDAN
ERIC M. LIEBERMAN

March 13, 1975

Deputy Attorney General
Department of Justice
Washington, D. C. 20530

Re: Information Request -
Daniel Ellsberg and Patricia Ellsberg

Dear Sir:

On behalf of our clients, Dr. Daniel Ellsberg and Patricia Ellsberg (husband and wife), we hereby request copies of the following, pursuant to the Freedom of Information Act and 28 C.F.R., Part 16:

> All records containing information about Dr. Ellsberg and/or Patricia Ellsberg, or referring to Dr. Ellsberg and/or Patricia Ellsberg, in any way, which are possessed by the Federal Bureau of Investigation including but not limited to letters, memoranda, tape recordings, electronic surveillance logs and investigative reports.

Yours truly,

Herbert Jordan

Herbert Jordan

HJ:sw

Certified Mail-R/R/R

EX-117

REC-34 65-74060-4623

April 7, 1975

1 - Mr. Mintz

Herbert Jordan, Esq.
Rabinowitz, Boudin & Standard
30 East 42nd Street
New York, New York 10017

Dear Mr. Jordan:

This is to acknowledge the receipt of your letter to the Deputy Attorney General which was referred to FBI Headquarters and was received on March 19th, concerning your clients, the Ellsbergs.

Because of increased interest generated by the amendments to the Freedom of Information Act, as evidenced by our sharply increased workload, and by the voluminous records that must be reviewed pursuant to your request, completion of the processing of your request will necessarily be delayed. We will make every feasible effort to comply with your request within 30 working days.

Sincerely yours,

C. M. Kelley

Clarence M. Kelley
Director

1 - The Deputy Attorney General - Enclosure
Attention: Susan M. Hauser
1 - ~~Buffalo 62-115530 (NOT REPLIES)~~

TLW:car (7)
CAR

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.:
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
Gen. Inv. ____
Ident. ____
Inspection ____
Intell. ____
Laboratory ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

MAILED 7
APR 7 1975
FBI

MAIL ROOM ☑ TELETYPE UNIT ☐

GPO 954-546

EX-117

REC-34 65-74860-4423

May 30, 1975

Herbert Jordan, Esq.
Rabinowitz, Boudin & Standard
30 East 42nd Street
New York, New York 10017

Dear Mr. Jordan:

Please refer to our letter of April 7th concerning your clients, Dr. Daniel Ellsberg and Patricia Ellsberg (husband and wife).

A search of our central files has been completed. A preliminary review indicates that Dr. Ellsberg has been the subject of an investigation by the FBI. In addition, our files contain in excess of one hundred references which appear to pertain to your clients in other investigative files of this Bureau. These records pertaining to the Ellsbergs appear in literally thousands of pages of investigatory files.

MAILED 6 JUN 2 1975 FBI

Prior to the release of any information concerning your clients, a current determination must be made as to whether currently classified data merits continued classification, consultation must be had with other governmental agencies having an interest in the determination of your request, and a page-by-page review must be conducted to delete excludable data as provided in the Freedom of Information Act. In addition, serious considerations of invasion of the privacy of other individuals mentioned in these records must be resolved.

Because of the volume of records involved, the time necessary to process the records, and our sharply increased workload, it can be anticipated that months will be required to complete the project.

1 - The Deputy Attorney General
Attn: Susan M. Hauser

TLW:mlh (5)

Assoc. Dir. ___
Dep. AD Adm. ___
Dep. AD Inv. ___
Asst. Dir.: ___
Admin. ___
Comp. Syst. ___
Ext. Affairs ___
Files & Com. ___
Gen. Inv. ___
Ident. ___
Inspection ___
Intell. ___
Laboratory ___
Plan. & Eval. ___
Spec. Inv. ___
Training ___
Legal Coun. ___
Telephone Rm. ___
Director Sec'y ___

MAIL ROOM ☑ TELETYPE UNIT ☐

GPO 954-546

Herbert Jordan, Esq.

As you are aware, there are prescribed fees for searching and locating records, plus a duplicating charge for records that are made available. While it is not possible at this time to estimate the costs involved, we ask that you express your consent to pay costs in accordance with the fees prescribed in 28 Code of Federal Regulations, Part 16. Also, in the interest of privacy considerations, we ask that you furnish a letter bearing the notarized signatures of your clients directing the release of this information to you.

Upon our receipt of the requested information we shall initiate this review. You will be kept advised of our progress in this regard.

Sincerely yours,

C. M. Kelley

Clarence M. Kelley
Director

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

TO: DIRECTOR, FBI
(ATTN: DIVISION OF LEGAL COUNSEL)

DATE: 1/19/76

FROM: SAC, WFO (62-10666) (P*)

SUBJECT: DANIEL ELLSBERG
Et Al. vs.
JOHN N. MITCHELL,
Et Al.
(D.D.C.)
CIVIL ACTION #1879-72

A review of the docket for Civil Action #1879-72 on 1/7/76 at USDC for the District of Columbia reflected the following:

The last entry of the docket reflected that the case is being held in abeyance.

The case is assigned to Judge PRATT. A check with his secretary, Mrs. TIERNAN, revealed that Judge JOHN LOUIS SMITH of USDC has the case of HELPERIN vs. KISSINGER Civil #1187-73. Judge SMITH's case involves the same in camera evidence as the ELLSBERG case, therefore, Judge PRATT and Judge SMITH decided Judge SMITH's case would go forward first and when that is finished, Judge PRATT will begin the ELLSBERG case. A check of the docket for Civil Action #1187-73 reveals that Judge SMITH had ordered on 9/24/75 that RICHARD NIXON's motion for a protective order regarding the taking of depositions be denied. On 12/19/75 the docket reflects that RICHARD NIXON's deposition is to be taken by plaintiff on 1/15-16/76. The case of HALPERIN vs. KISSINGER will go forward when all depositions are complete. The next deposition to be taken in the case is that of H. R. HALDERMAN.

WFO will follow. REC 85-74060-4804

21 JAN 20 1976

(2)- Bureau
2- WFO
(1- 65-10059)
JFL:hah
(4)

RECVD COUNSEL
ST-105
RECEIVED

1976

Enclosure

EX-115

REC 32 65-74060-4825

February 20, 1976

Herbert Jordan, Esq.
Rabinowitz, Boudin and Standard
30 East 42nd Street
New York, New York 10017

Dear Mr. Jordan:

I have received several referrals from the Central Intelligence Agency with respect to a Freedom of Information (FOIA) request regarding your clients, Dr. Daniel Ellsberg and Patricia Ellsberg.

As indicated to you in my letter dated May 30, 1975, we asked that you furnish a letter bearing the notarized signatures of your clients, which would authorize the release of the desired documents directly to you.

Upon receipt of this authorization, these documents will be processed in accordance with the regulations of FOIA.

Sincerely yours,

C. M. Kelley

Clarence M. Kelley
Director

MAILED 7
FEB 20 1976
FBI

1 - The Deputy Attorney General
Attention: Susan M. Hauser

Assoc. Dir. ___
Dep. AD Adm. ___
Dep. AD Inv. ___
Asst. Dir.:
Admin. ___
Comp. Syst. ___
Ext. Affairs ___
Files & Com. ___
Gen. Inv. ___
Ident. ___
Inspection ___
Intell. ___
Laboratory ___
Legal Coun. ___
Plan. & Eval. ___
Spec. Inv. ___
Training ___
Telephone Rm. ___
Director Sec'y ___

gav:cgg (5)

Closed due to no response in 30 days per A

MAIL ROOM ☒ TELETYPE UNIT ☐

GPO : 1975 O - 594-120

OPTIONAL FORM NO. 10
JULY 1973 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

ROUTING UNIT
ERROR LETTER SENT
DAF SHEA 5-7-76 66

TO : DIRECTOR, FBI
(ATTN: DIVISION OF LEGAL COUNSEL)

DATE: 5/4/76

FROM : SAC, WFO (62-10883) (P*)

SUBJECT: DANIEL ELLSBERG
Et Al; vs.
JOHN N. MITCHELL,
Et Al;
(D.D.C.)
CIVIL ACTION #1879-72

Re WFO letter to the Bureau, 1/19/76.

As recounted in referenced letter, captioned case is being held in abeyance until decision in HELPERIN vs. KISSINGER, Civil Docket #1187-73. A check of the docket entries of that case on 4/23/76, revealed that no decision has been rendered in the HELPERIN case.

WFO will follow.

EX 103

REC 32

24 MAY 11 1976

2-Bureau
2-WFO
(1-65-10059)
JFL:maw

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

LEGAL COUNSEL

66 MAY 26 1976

OPTIONAL FORM NO. 10
JULY 1973 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI

DATE: 8/5/76

FROM SAC, WFO (62-10883) (P*) ATTN: DIVISION OF LEGAL COUNSEL

SUBJECT: DANIEL ELLSBERG, Et Al.,
vs.
JOHN N. MITCHELL, Et Al.
(U.S.D.C., D.C.)
CIVIL ACTION NO. 1879-72

ReWFOlet to Bu 5/4/76.

On 7/30/76 DOROTHY VAUGHN clerk for U.S. District Judge JOHN H. PRATT was contacted and advised captioned case is being held in abeyance.

The case is being held in abeyance pending a decision in HELPERIN vs. KISSINGER Civil Docket # 1187-73. The law clerk for U.S. District Judge JOHN LEWIS SMITH, JR. who is handling the HELPERIN case advised no decision has yet been reached in that case.

VAUGHN advised that because evidence is common to each case Judge PRATT is yeilding to Judge SMITH in the order of trial of the two cases.

VAUGHN advised the above information was being furnished on a confidential basis.

WFO will follow.

2-Bureau
1-WFO

JFL:jmm
(3)

REC 68 65-71060-4

EX-113

23 AUG 10 1976

CC 7326

5010-110

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

OPTIONAL FORM NO. 10
JULY 1973 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI
(ATTENTION: LEGAL COUNSEL DIVISION)

DATE: 11/11/76

FROM : SAC, WFO (62-10883) (P*)

SUBJECT: DANIEL ELLSBERG, Et Al
VS. JOHN H. MITCHELL, Et Al
USDC, D.C.
CIVIL ACTION NUMBER 1879-72

Remylet dated 8/5/76.

Civil Docket 1879-72, United States District Court for the District of Columbia was reviewed on 11/4/76. The docket indicates that captioned case matter is still being held in abeyance.

WFO is maintaining this case in a Pending Inactive status and the next communication in this matter will be submitted January 15, 1977.

65-105

REC 67 65-71060-4879

1326

(2) - Bureau
1 - WFO
DFH:jcd
(3)

CC 7326

5 NOV 22 1976 Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

OPTIONAL FORM NO. 10
JULY 1973 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI
ATTN: LEGAL COUNSEL DIVISION

DATE: 1/12/77

FROM : SAC, WFO (62-10883) (P*)

SUBJECT: DANIEL ELLSBERG, Et Al
VS. JOHN H. MITCHELL, Et Al
USDC, D.C.
CIVIL ACTION NUMBER 1879-72

Remylet dated 11/11/76.

Civil Docket 1879-72, United States District Court for the District of Columbia was reviewed on 1/10/77. The docket indicates that captioned case matter is still being held in abeyance.

WFO is maintaining this case in a Pending Inactive status and the next communication in this matter will be submitted 3/1/77.

EX-113
REC-31
JAN 13 1977
LEGAL COUNSEL

(2) - Bureau
1 - WFO
DFH:mkg
(3)

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

5010-110

NR 011 JK CODE

528 FM BDST IMMEDIATE 7-13-71 MHM

TO WFO (65-11613)

FROM JACKSONVILLE (65-[redacted]) 1P

MC LEK - NATIONALITIES INTELLIGENCE, CO LA.

RBWFO TEL TO BUREAU, ATTENTION DOMESTIC INTELLIGENCE DIVISION, DATED JULY TWELVE, LAST.

[redacted]

AM COPY SENT LA. RUC.

END

FBI WFO MWM

TKS

CLR

65-22862

ENCLOSURE

Routing Slip
FBI (Rev. 12-22-69)

To: [X] Director

Date 8/3/71

Att.: DOMESTIC INTELLIGENCE FILE JK 65-228

Title MC LEK (NATIONALITIES INTELLIGENCE)

RE:

- [ ] SAC
- [ ] ASAC
- [ ] Supv.
- [ ] Agent
- [ ] SE
- [ ] IC
- [ ] CC
- [ ] Steno
- [ ] Clerk
- [ ] Rotor #:

ACTION DESIRED

- [ ] Acknowledge
- [ ] Assign ___ Reassign ___
- [ ] Bring file
- [ ] Call me
- [ ] Correct
- [ ] Deadline ___
- [ ] Deadline passed
- [ ] Delinquent
- [ ] Discontinue
- [ ] Expedite
- [ ] File
- [ ] For information
- [ ] Handle
- [ ] Initial & return
- [ ] Leads need attention
- [ ] Return with explanation or notation as to action taken.
- [ ] Open Case
- [ ] Prepare lead cards
- [ ] Prepare tickler
- [ ] Return assignment card
- [ ] Return file
- [ ] Search and return
- [ ] See me
- [ ] Serial # ___
  - [ ] Post [ ] Recharge [ ] Return
  - [ ] Send to ___
- [ ] Submit new charge out
- [ ] Submit report by ___
- [ ] Type

NATIONAL SEC.

65-74868

Attached for information of Bureau.

RM 1 ENCLOSURE

___ See reverse side

SAC W. M. ALEXANDER

Office Jacksonville

* GPO : 1970 O - 371-917

MAR 7 1977

NOT RECORDED
12 AUG 12 1971

65 74868

0-20 (Rev. 3-1-73)

Mr. Felt
Mr. Baker
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Marshall
Mr. Miller, E.S.
Mr. Soyars
Mr. Thompson
Mr. Walters
Tele. Room
Mr. Kinley
Mr. Armstrong
Mr. Bowers
Mr. Herington
Ms. Herwig
Mr. Mintz
Mrs. Neenan

Molek

UPI187
(CIA)

WASHINGTON (UPI) -- TWO CIA DOCTORS TESTIFIED TODAY THE PSYCHOLOGICAL PROFILE PREPARED BY THE CIA ON DANIEL ELLSBERG WAS THE FIRST ONE EVER WORKED UP ON AN AMERICAN CITIZEN.

DR. JOHN TIETJEN, DIRECTOR OF MEDICAL SERVICES, AND DR. BERNARD MALLOY, CHIEF OF THE PSYCHIATRIC DIVISION, SAID THEY BOTH HAD MISGIVINGS ABOUT THE PROJECT.

- TIETJEN AND MALLOY TESTIFIED FOR ABOUT TWO HOURS BEFORE THE SENATE APPROPRIATIONS SUBCOMMITTEE WHICH SUPERVISES THE ACTIVITIES OF THE CIA.

AFTER THE CLOSED-DOOR SESSION, CHAIRMAN JOHN MCCLELLAN, D-ARK., TOLD REPORTERS REPORTERS THE TWO DOCTORS TOLD THE SUBCOMMITTEE THE "PERSONALITY ASSESSMENT" WAS THE FIRST DONE ON AN AMERICAN.

USUALLY, SUCH PSYCHIATRIC REPORTS ARE MADE ON FOREIGN LEADERS BASED ON ALL AVAILABLE INFORMATION ON THEM.

MCCLELLAN SAID THE TWO DOCTORS TESTIFIED THEY WERE APPREHENSIVE ABOUT THE PROPRIETY OF DRAWING UP A PROFILE ON ELLSBERG AND EXPRESSED THEIR MISGIVINGS TO THEIR SUPERIORS.

ASKED IF HE MEANT RICHARD HELMS, NOW AMBASSADOR TO IRAN, AND GEN. ROBERT CUSHMAN, NOW COMMANDANT OF THE MARINE CORPS, MCCLELLAN REPLIED YES.

UPI 05-10 07:08 PED

65-74060-

NOT RECORDED
46 MAY 22 1973

File

79 MAR 23 1973

MAR 7 1977

WASHINGTON CAPITAL NEWS SERVICE

OPTIONAL FORM NO. 10
JULY 1973 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI
ATTENTION: LEGAL COUNSEL DIVISION

FROM : SAC, WFO (62-10883) (P*)

DATE: 3/9/77

SUBJECT: DANIEL ELLSBERG,
et.al v.
JOHN N. MITCHELL,
et.al
(U.S.D.C., DC)
CIVIL ACTION NUMBER 1879-72

Remylet dated 1/12/77.

Civil Docket 1879-72, U.S. District Court, Washington, D.C. (WDC), was reviewed on 2/28/77. The following docket entries were noted:

2/15/77 Appearance of JOHN N. MITCHELL as individual counsel for defendant JOHN N. MITCHELL.

2/15/77 New status call; plaintiff to file motion to reconsider within 30 days, defendant to respond within 10 days or request extension; repeat call set for 4/15/77. Plaintiffs' and defendants' calendar call certificate filed.

WFO is maintaining this case in a Pending Inactive status. The next communication will be submitted 4/25/77.

EX-113

REC-16 65-74060-4631

21 MAR 10 1977

(2) Bureau
1- WFO

DFH:lab
(3)

F 338

28 1977

Buy U.S. Savings Bonds Regularly on the Payroll S...

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir. ___
Dep. AD Adm. ___
Dep. AD Inv. ___
Asst. Dir.:
Admin. ___
Comp. Syst. ___
Ext. Affairs ___
Files & Com. ___
Gen. Inv. ___
Ident. ___
Inspection ___
Intell. ___
Laboratory ___
Plan. & Eval. ___
Spec. Inv. ___
Training ___
Legal Coun. ___
Telephone Rm. ___
Director Sec'y ___

TO : MR. ASH

DATE: 3-20-75

FROM : E. F. Johnson

SUBJECT: MC LEK;
SIO

LATENT FINGERPRINT SECTION EXHIBITS

Numerous bulky exhibits were prepared by the Fingerprint Specialist who testified in the trial of Daniel Ellsberg and others. This trial was declared a mistrial and at the present time there is no indication that the case will be retried.

Two boxes of exhibits and photographs of the numerous latent prints developed in this case are being forwarded to the Files and Communications Division with a copy of this memorandum for storage as a bulky enclosure to captioned file.

RECOMMENDATION:

Forward to Files and Communications Division.

65-74060

1 - Mr. McDermott

REC-4

GEG:lmp
(6)

65-74060-4121

EX-111

4-1
MAR 25 1975

"ENCLOSURE ON BULKY RAMP"

FILED

53 APR 3 1975

RESULTS OF FBI EXAMINATION

FOR LATENT PRINTS

WARNING - THIS COLLECTION CONTAINS CLASSIFIED INFORMATION UP TO AND INCLUDING TOP SECRET/NO DISSEMINATION MATERIAL

Evolution of the War, U.S. Training of the Vietnamese National Army 1954 1959

IV A 3

Evolution of the War, U.S. and France's Withdrawal from Vietnam 1954-1956

IV A 5

Evolution of the War

Origins of the Insurgency

1954- 1960

IV B 2

Evolution of the War,

Strategic Hamlet Program

1961-1963

U.S. Involvement in the
Franco - Viet Minh War
1950 - 1954

I
Vietnam & the United States
1940 1950

IV A 2
Aid for France in Indochina
1950 - 1954

Rand Westcoast Back Up Papers
Outbound Working

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-106

UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir. _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

TO : MR. ASH

DATE: 3-20-75

FROM : E. F. Johnson

SUBJECT: MC LEK;
SIO

LATENT FINGERPRINT SECTION EXHIBITS

Numerous bulky exhibits were prepared by the Fingerprint Specialist who testified in the trial of Daniel Ellsberg and others. This trial was declared a mistrial and at the present time there is no indication that the case will be retried.

Two boxes of exhibits and photographs of the numerous latent prints developed in this case are being forwarded to the Files and Communications Division with a copy of this memorandum for storage as a bulky enclosure to captioned file.

RECOMMENDATION:

Forward to Files and Communications Division.

65-74060

1 - Mr. McDermott

REC-4

GEG:lmp
(6)

65-74060-4821

EX-111

4-1
FEB 25 1975

BIN

MR. THOMPSON 3/2/73

E. W. Whitwam

MC LEK;SIO

LATENT FINGERPRINT TESTIMONY

As you are aware, this case involves the illegal disclosure of the "Pentagon Papers" by Daniel Ellsberg, assisted by others.

Fingerprint Examiner Deemer E. Hippensteel (retired) arrived in Washington, D. C., from Los Angeles, California, at 5:45 PM, 2/28/73.

Hippensteel testified in U. S. District Court, Los Angeles, presided over by Judge William Matthew Byrne, to 213 latent print identifications effected on several volumes of the Pentagon Papers with fingerprints and palm prints of subjects Anthony Joseph Russo, Jr., FBI #305500J3, and Daniel Ellsberg, FBI #105131J1, as well as with finger and palm prints of Lynda Rae Sinay and Vu Van Thai, associates of the subjects and Robert Ellsberg, teenage son of Ellsberg. Hippensteel testified on 2/21, 2/22, and 2/27.

Subjects Ellsberg and Russo were represented by Attorneys Leonard Boudin and Leonard Weinglass, respectively. The Government was represented by Special U. S. Attorney David R. Nissen.

The original photograph of fingerprints of Thai forwarded from Vietnam was excluded as being improperly authenticated. An additional photograph of prints of Thai (former Ambassador from South Vietnam) was personally delivered [redacted] so that he could testify if the further authenticated document was not admitted. [redacted] was not required to testify. As a matter of interest, [redacted]

The fingerprints and palm prints used in preparation of illustrative charts, as well as the charted enlargements themselves, were left in evidence. The six fingerprint charts showed identification of fingerprints of subjects present on Volume V1. C. 4; a fingerprint of Thai on Volume V1. C. 4; fingerprint of Sinay on Volume IV. C. 9(b); fingerprint of Robert Ellsberg on Volume T. S. 3286; and palm print of

65-74060

1 - SA Lionel E. Belanger - Room 608 9th and D

(CONTINUED OVER)

HEC:psp
(4)

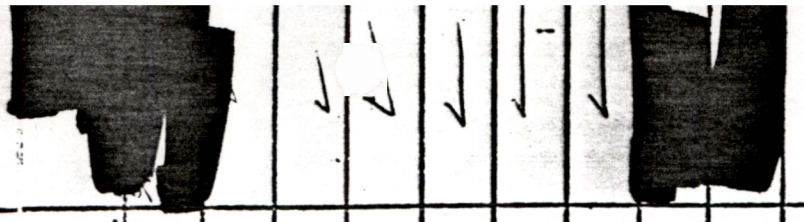
Memorandum E. W. Whitwam to MR. THOMPSON
RE: MC LEK; SIO
65-74060

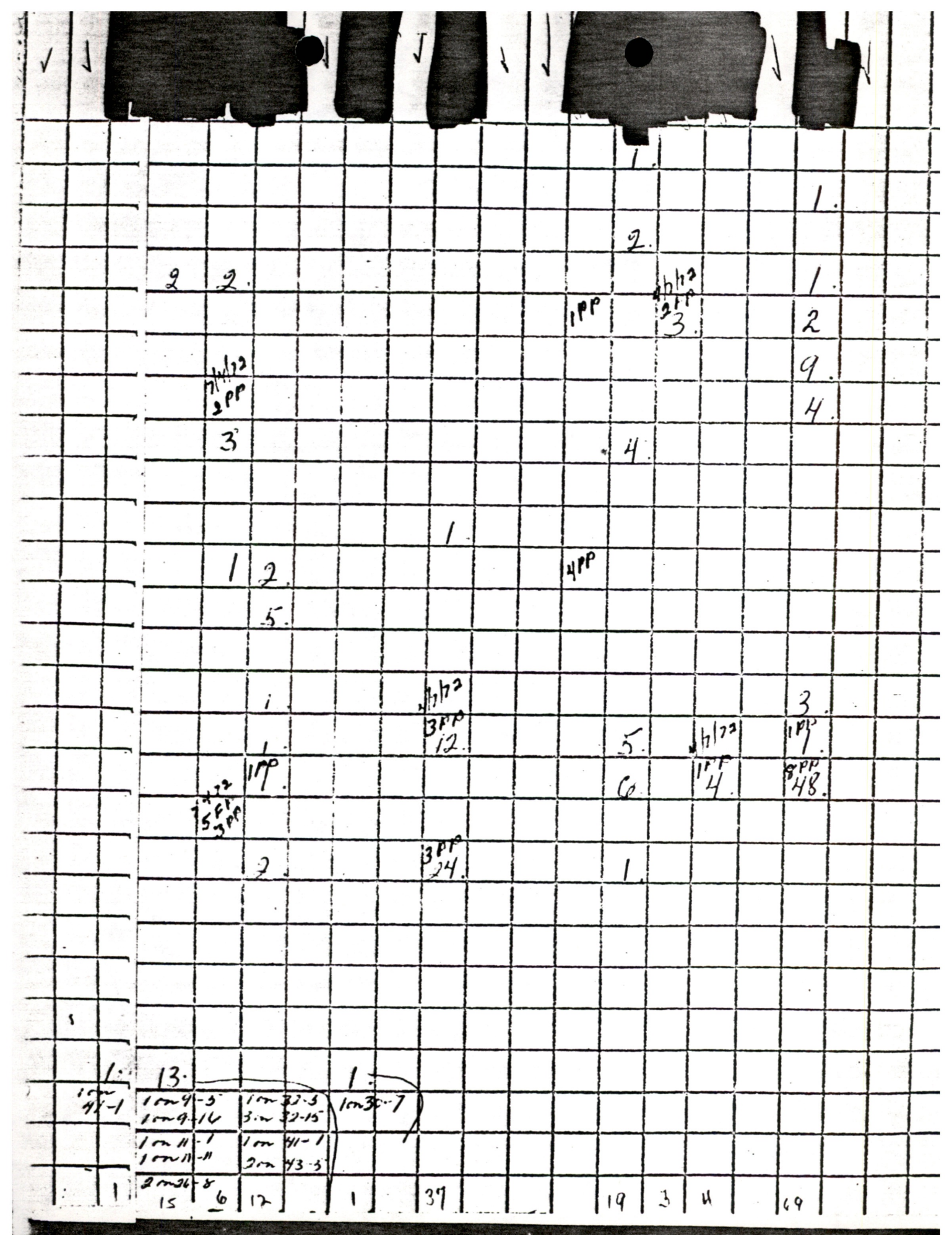
Russo on Volume V1. C. 1. These items are to be returned to the Identification Division by U. S. Attorney Albert Dabrowski when they are released. Special U. S. Attorney Nissen will notify the Bureau regarding the outcome of the trial.

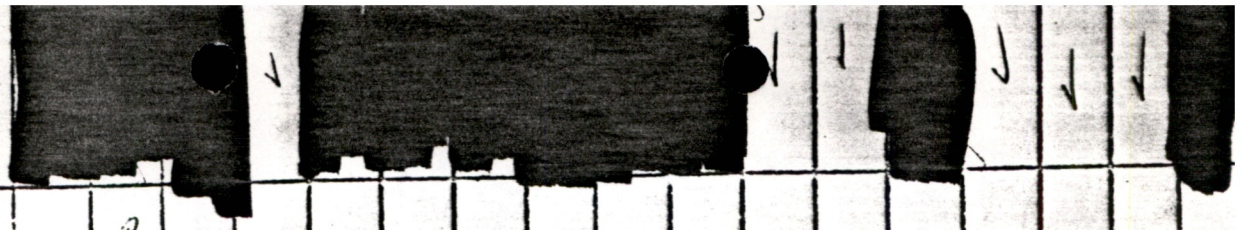
Cross-examination by defense counsel was inconsequential. Defense previously indicated a desire to stipulate to Hippensteel's testimony, except as it pertained to Thai, but after their refusal to stipulate in writing, Hippensteel was permitted to testify to all identifications effected.

RECOMMENDATION:

For information.







| | | |

68	Final Report OSD Task Force Vietnam & Index ALL LA 2	11 26 71	6	2	0		
69	IV B 1	"	11	3	0		
70	IV B 3	"	3	1	0		
71	IV C 1	"	9	10	0		
72	IV C 6 a	"	58	25	0		
73	IV C 6 b	"	45	10	0		
74	IV C 6 c	"	5	2	0		
75	IV C 7 b	"	30	7	0		
76	V B 1	"	0	1	0		
77	V B 2 Book 1	"	1	0	0		
78	V B 2 Book 2	"	7	7	0		
79	V B 3 Book 1	"	13	0	0		
80	V B 3 Book 2	"	2	0	0		
81	V B 3 Book 3	"	13	0	0	1	
82	V B 3 Book 4	"	21	7	0		
83	V B 4 Book 1	"	100	25	0		
84	Part VI A	"	5	3	0		
85	Part VI B	"	39	3	0		
86	Pg 45 of IV B 1 37 of IV C 6 (c) 53 of IV B 3 176 of IV C 6 (4)	12 8 71	4	4	0		
Helper in Archive 87	46 Documents	12 9 71	107	23	0	3	
503		Rec'd 12/9 ret 12/16				2 in 1-3 1 in 25-7	
			144	132		4	

D Ellsberg

P 25

Sinai

Thai

RB Ellis

3PP 9

9PP 1

21PP 52

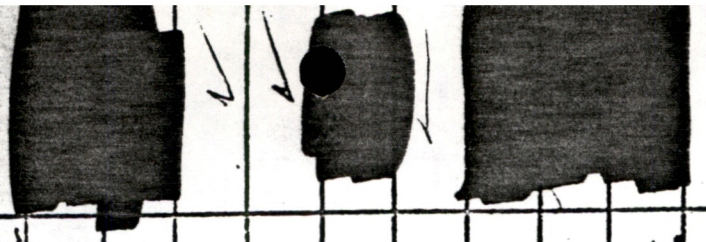
10PP 35

6PP 14

12PP 40

1PP 3

6 1PP 1-3



A28 3

4/4/4/3 3FP

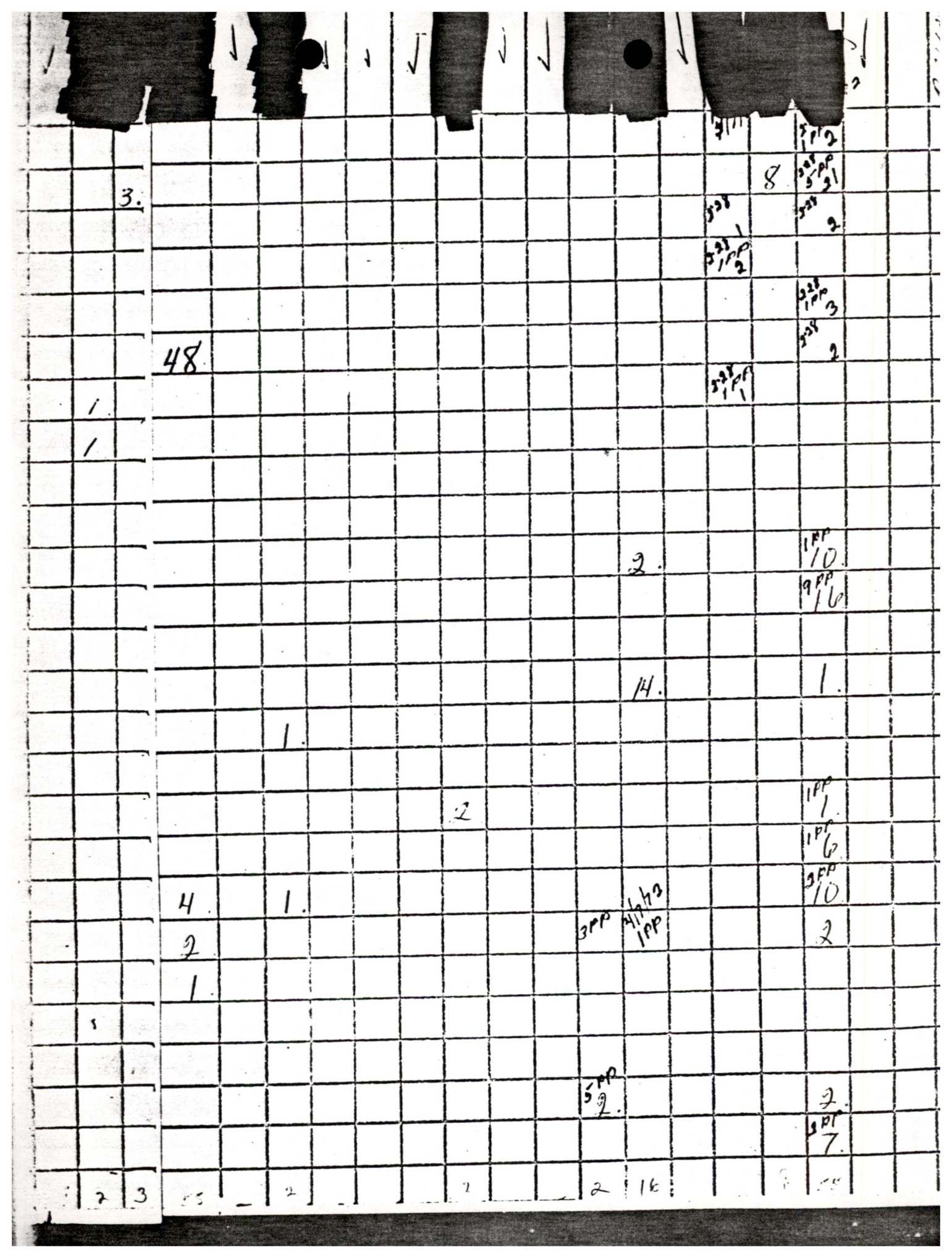
4/4/4/3 3FP

4/4/4/3 16FP

2FP 1FP

4/4/4/3 2FP

A28 1



| | | |

44	Green Book 1	Aircel #10	10	3	0	
45	" " 2	Red #12	100	12	0	
46	" " 3	Red #12	10	8	0	
47	" " 4	Red #12	16	6	0	
48	" " 5	"	15	1	0	
49	" " 6	"	33	9	0	
50	Black Book 7	"	13	2	0	
51	" " 8	"	4	1	0	
52	TS 3256 LA 17 Q 18	Red #9 Aircel #14	56	10	0	
	ALL LA's					
53	Vol I	Aircel #16	14	5	0	
54	" II	Red #16	21	13	0	
55	IV A 2 IV A 3 No list	Red #14 Red #14	1	0	0	
56	IV A 5	"	36	8	0	
57	IV B 2	"	1	0	0	
58	IV B 4	"	0	3	0	
59	IV B 5	"	7	4	0	
60	IV C 2 (a)	"	30	4	0	
61	IV C 2 (b)	"	21	4	0	
62	IV C 2 (c)	"	13	5	0	
63	IV C 4	"	1	0	0	
64	IV C 5	"	13	9	0	
65	IV C 8	"	23	4	0	
66	IV C 9 (a)	"	18	12	0	
67	IV C 9 (b)	"	7	4	0	

D Ellsberg

Russo

Sinay

Thal



7

18

86

47

15

45

36

36

8

3

3

10

9

1

3

3

12

2

3

11

243

1

13
247

| | | |

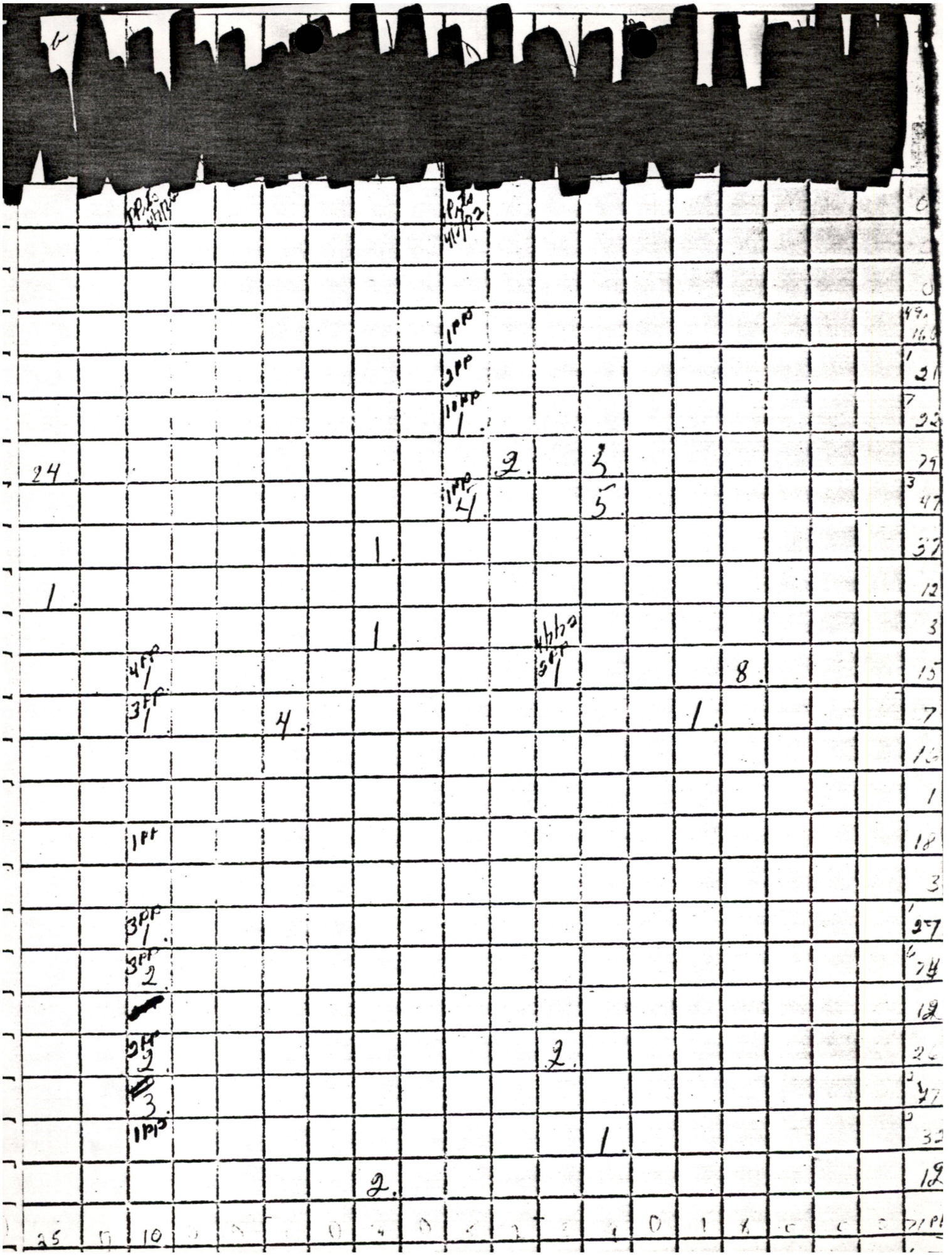
| | | |

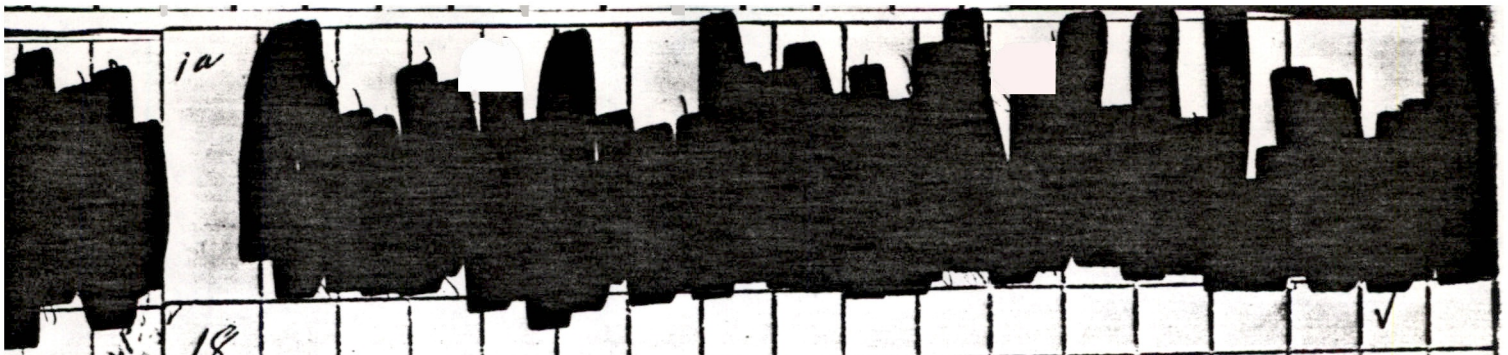
1st 3

2nd 13
5FP

3rd 1

1/2 1/2
1FP





| | | |

						D Ellsberg	Rossi	Sinay
18	Regal, 23	6-23-71	5	9	0			
19	Trawler 21	7-15-71	1	0	0			
13	Paper cattle	9-17-71	1	0	0			
12	1A* 2 IV C 3	9 20 71	179	54 56	0			
16	1A* 2 IV C 7(a)	"	34	6	0			
17	1A* 2 V B 4 B.H. 2	"	26	14	0	1.		
14	1A* 1 IV B 5	"	79	7	0		33.	
15	" IV C 5	"	67	5	0		1PP 29.	
20	" I.	10-5-71	34	9	0	7.	1.	
21	" II	"	12	1	0	1.		
22	" IV A 2	"	11	1	0	1.	1.	
23	" IV A 3	"	15	8	0			
24	" IV A 4	"	11	5	1			
10	" IV C 4	10-8-71	18	0	0	1.	15.	
9	" IV B 4	"	1	0	0			
11	" IV C 8	"	32	3	0		9.	
8	" IV B 2	"	4	0	0			
7	" IV A 5	"	34	8	0	18.	1PP 0.	
1	" VI C 4	10-13-71	53	13	0	1.	5PP 21.	10
2	" VI C 3	"	17	7	0			
3	" VI C 2	"	33	3	2			
4	" VI C 1	"	34	9	0		2PP 0.	
5	" IV C 9(a)	"	36	3	0	1.	2PP 23.	
6	" IV C 9(a)	"	13	2	0	4.	1.	1.
			775	246	3			1



5PP
2
1.
3PP

2.

1

1PP
2
1PP

1.

5.

9PP
5
3PP
2
6PP
13
2PP
1
1PP

1

7.

4th a
3PP

1
10.
6.

26

1

7

20

6

| | | |

	ALL LA #1						
88	VA Vol I	1 4 72	37	2	0		
89	Part VI B	"	36	7	0		
90	Part VI A	Rec 1/4 Ret 1/19	5	1	0		
91	VB 2 Book II	Ret "	3	3	0		
92	VA Vol II	"	2	0	0		
93	VB 1	"	11	0	0		
94	VB 4 Book I	"	24	5	0		
95	VB 3 Book I	"	11	3	0		
96	VB 3 Book III	"	19	10	0		
97	VB 2 Book I	"	9	6	0		
98	VB 3 Book III	"	28	6	0		
99	VB 4 Book II	"	28	3	0		
100	VB 3 Book II	"	27	5	0		
101	LA #20	1-19-72 Rec 1/19 Ret 1/24	14	3	0	3	3PP 10
102	LA #14	1 24 72	13	2	0		
103	LA #15	Rec 1/24 Ret 1/31	8	0	0		
104	LA #16	Ret "	2	0	0	1	
110	WF 22-1 thru 22-13	3 6 72	15	1	0	1/2 3	
105	LA #18 TS 2258	1 31 72	1	0	0		
106	LA 19 TS 2258A	Rec 1/31 Ret 2/14	9	0	0		
107	LA 21 TS 3268		2	0	0		
108	LA 22 TS 3266		1	0	0		
109	LA 32 TS 3262		3	0	0		
	1835 Sheets		53			4	3PP 10

FEDERAL BUREAU OF INVESTIGATION
LATENT FINGERPRINT SECTION WORK SHEET

Recorded: 2/2/72 8:50 a.m.lsf

Reference No: 65-11613
FBI File No: 65-74060
Latent Case No: A-47311

Received: 1/31/72

Answer to: SAC, WFO

Examination requested by: Addressee

Copy to:

RE: MC LEK
SIO

Date of reference communication: Airtel 1/31/72
Specimens:

LA #1, I
LA #1, II
IV A 2
IV A 5
IV B 5
IV C 4
IV C 5
IV C 8
IV C 9 (a)
IV C 9 (b)

(Continued on Page 2)

Result of examination:

Examination by: Hippensteel
Evidence noted by:

Received 2/4/72

[redacted], WFO

Examination completed _____ Time _____ Date

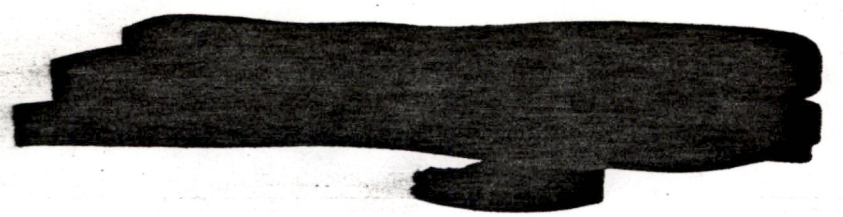
Dictated _____ Date

VI C 4
LA # 17
WF# 21, 46 Documents (Halperin Archives Papers)

Also LA# 1,VB4 received 2-1-72 (Not mentioned in Airtel)

All specimens resubmitted for full page photography

Received 2/4/72



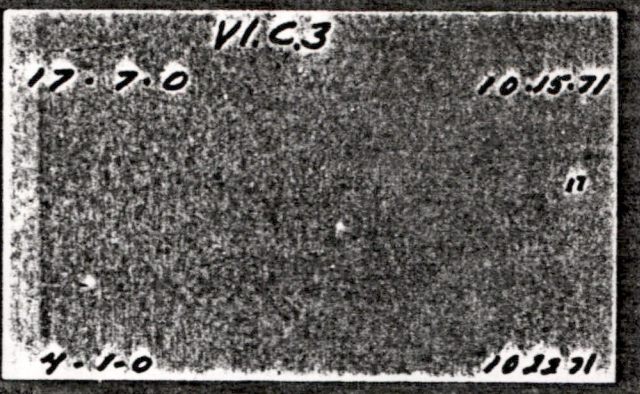
WFO

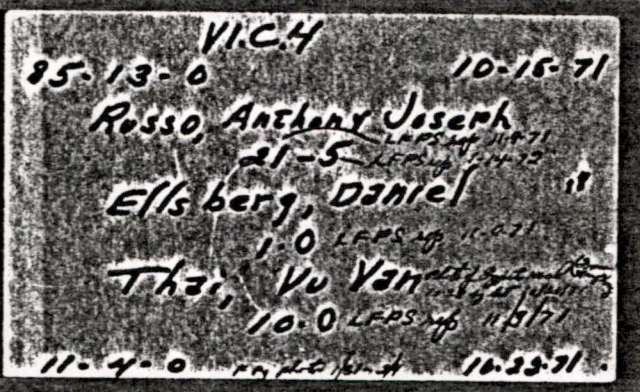
Recd 1/31/71

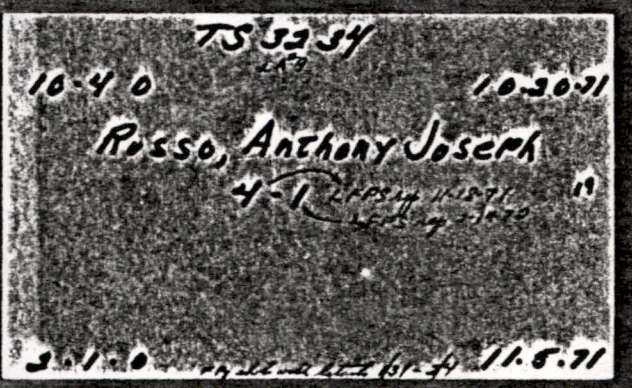
LA #1, I
LA #1, II
IV A 2
IV A 5
IV B 5
IV C 4
IV C 5
IV C 8
IV C 9(a)
IV C 9(b)
VI C 4
LA #17
WF #31, 46 documents (Halperin Archive Papers)

also LA #1, VB4 received 2-1-72 (Not mentioned in auction)

All specimens resubmitted for full page photography


VI.C.3
17-7-0
10-15-71
17
4-1-0
10 23 71


VI.C.4
85-13-0
10-16-71
Rosso, Anthony Joseph
21-5
Ellsberg, Daniel
18
1.0
Thai, Vu Van
10.0
11-4-0
10-23-71


TS 33 84
10-4 0
10-30-71
Rosso, Anthony Joseph
4-1
19
3-1-0
11.5.71


TS 33 86
11-9-71
56-10-0
Ellsberg, Robert Boyd
20-6
30
36-4-0

VI C 3

Settlement of the Conflict, C.
Histories of Contacts,
Sunflower

VI C 4/

Settlement of the Conflict
Negotiations 1967-1968
History of Contacts

Rand Mitchell Bank Papers
National Security

GWheeler
Report

Q18 2A#17
TS-3286-RM-5617-ISA/ARPA-Pentagon
"Negotiations and Vietnam:
A Case Study of the 1954 Geneva Conference"
(U) by Melvin Gurtov

IV B 5

Evolution of the War
Overthrow of Ngo Dinh Diem
May - November 1963

IV C 9 (a)

Evolution of the War
US/GVN Relations 1963-1967

IV C 4

Evolution of the War
Marine Combat Units to Da Nang
March 1965

IV C 9 (b)

Evolution of the War
US/GVN Relations 1963-1967
Part II

IV C 5

Phase I in the Buildup of US Forces -
The Debate
March - July 1965

VI C 1

Settlement of the Conflict,
Feeling Out Contacts
Negotiations, 1965-1966

IV C 8

Re-Emphasis on Pacification
1965 - 1967

VI C 2

Settlement of the Conflict, C.
Hostilities Contacts
Marigold

IV 5

79.4.0 9.21.71

Russo, Anthony Joseph

33.0 -LFPS sup 10-1-71 9

0.2.0 9 28 71

IV.C.9(a)

36 3 0 10.15.71

Russo, Anthony Joseph

LFPS sup 11-9-71

33-2 — LFI's sup 10/1/71

Ellsberg, Daniel 13

1-0 LFPS sup 11-9-71

4 0 0 10 22 71

IV.C.4

18.0.0 10.8.71

Russo Anthony Joseph

15.0 LFPS sup 10/18/71

Ellsberg, Daniel 14

1.0 LFPS sup 10/18/71

3 0 0 10.18.71

IV.C.9(b)

13.2.0 10 15 71

Russo, Anthony Joseph

1.0 LFPS sup 11-9-71

Ellsberg, Daniel 14

4.0 LFPS sup 11-9-71

Siney, Lynda Rae

1.0 LFPS sup 11-3-71

1-2-0 10 22 71

IV.C.5

47.5.0 9.21.71

Russo, Anthony Joseph

LFPS sup 10-1-71

39.1 — LFPS sup 10/14/72 11

30.1.0 9.28.71

VI.C.1

34 2 0 10 15 71

Russo, Anthony Joseph

0-2 LFPS sup 10-14-72

15

6 0 0 10 22 71

IV.C.8

32.3.0 10.8.71

Russo, Anthony Joseph

9.0 LFPS sup 10-18-71

12

14.2.0 10.15.71

VI.C.2

33.3.2 10.15.71

16

7.1.2 10 22 71

I

Vietnam & the United States
1940 1950

IV A 4

Evolution of the War, U.S. Training
of the Vietnamese National Army
1954 1959

II

U.S. Involvement in the
France - Viet Minh War
1950 - 1954

IV A 5

Evolution of the War
Origins of the Insurgency
1954 - 1960

IV A 2

Aid for France in Indochina
1950 - 1954

IV B 2

Evolution of the War,
Strategic Hamlet Program
1961-1963

IV A 3

Evolution of the War, U.S. and
France's Withdrawal from
Vietnam 1954 - 1956

IV B 4

Evolution of the War
Phased withdrawal of U.S. Forces
1962 - 1964

39.3.0 10.5.71

Rosso, Anthony Joseph
1.0 LFPS Aug 10-12-71

Ellsberg, Daniel
3.0 LFPS Aug 12-3-

3.3.0 FA Pkt 1/31-24 10.8.71

IV.A.4

11.5.1 10.5.71

4.2.1 10.8.71

II

12.1.0 10.8.71

Ellsberg, Daniel
1.0 LFPS Aug 10/12/71

0.1.0 FA Pkt 1/31-24 10.8.71

IV.A.5

34.2.0 10.8.71

Rosso, Anthony Joseph
0-1 LFPS Aug 7-14-72

Ellsberg, Daniel
18-0 LFPS Aug 10-13-71

74.0 FA Pkt 1/5 - 24 10.15.71

IV.A.2

11.1.0 10.5.71

Rosso, Anthony Joseph
1.0 LFPS Aug N 12 71

Ellsberg, Daniel
1.0 LFPS Aug N 12 71

8.1.0 FA Pkt 1/31-24 10.8.71

IV.B.2

9.0.0 10.8.71

1.0.0 10.15.71

IV.A.3

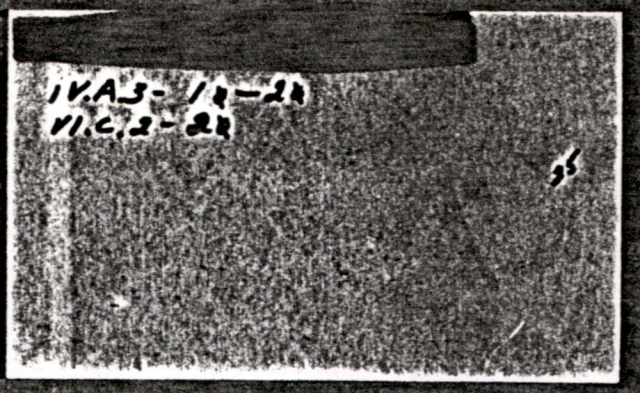
15.8.0 10.5.71

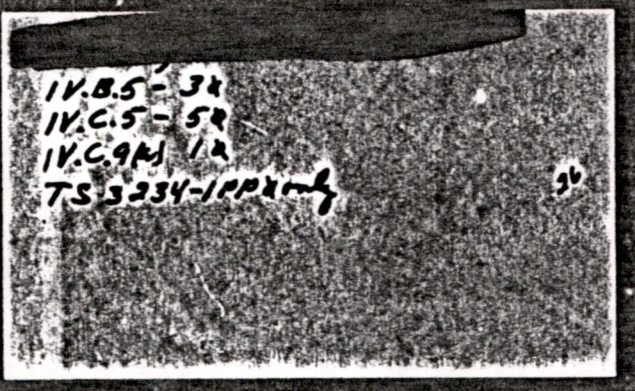
0.2.0 10.8.71

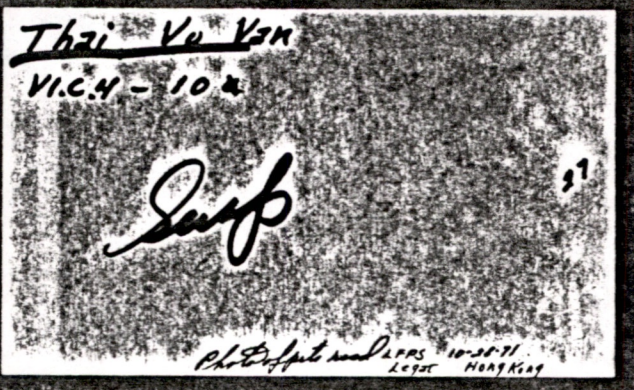
IV.B.4

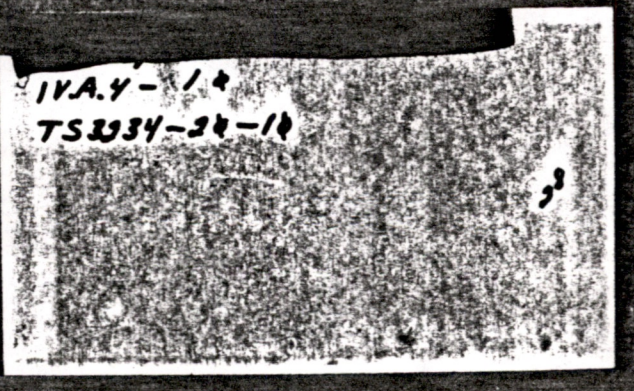
1.0.0 10.8.71

0 0 0 10 15 71


IV.A.3 - 1 - 2
VI.C.2 - 2
35


IV.B.5 - 3
IV.C.5 - 5
IV.C.9M 1
TS 3234-1PP
36


Thai Ve Vam
VI.C.4 - 10
37
LPPS
Legat
10-31-71
Hong Kong


IV.A.4 - 1
TS 3234-3 - 1
38

[redacted]

IV.B.2 - 5♀
VI.C.1 - 1♀

17

[redacted]

I — 1♀
IV.A.2 — 1♀
IV.C.9(L) — 3♀

31

[redacted]

VI.C.4 - 9♀ - 3♀
IV.A.3 - 1♀ — 4♀
IV.A.4 - 1♀ — 3♀
IV.A.5 - 1♀ — 3♀
VI.C.2 - 2♀ - 2♀
IV.C.8 — 1 PP♀ only
IV.C.9a - 1 PP♀ only
VI.C.1 - 3♀

18

SINAY, Lynda Rae
IV.C.9(L) - 1♀ Dy. of Philadelphia

Sinay

32

[redacted]

IV.A.4 - 4♀

19

IV.C.5 - 4♀ - 1♀

33

ROSSO, Jr., Anthony Joseph

VI.C.4 - 31♀ - 5♀
I — 1♀
IV.A.2 — 1♀
IV.A.5 — 1 PP♀ only
IV.B.5 - 33♀
IV.C.4 - 15♀
IV.C.5 - 39♀ - 1♀
IV.C.8 - 9♀
IV.C.9(a) - 33♀ - 3♀
IV.C.9(L) - 1♀
VI.C.1 - 2 PP♀ only
~~[illegible] 5♀~~
TS3234-4♀ - 1♂

30

Rosso

[redacted]

IV.B.6 - 2♀

34

IV.A.3 — 8¢

9

VI.C.4 - 27¢
I — 1¢
VI.C.3 - 2¢
IV.C.9(a) - 1¢
IV.C.9 L - 3¢

18

VI C 4 - 2¢
I — 23¢
II — 10¢
IV.A.5 - 1¢
IV.B.3 - 1¢
IV.B.5 - 2¢
VI.C.3 - 2¢
VI.C.2 - 18¢
IV.C.9(a) - 5¢
IV.C.9(4) - 1¢

VI.C.1 - 11¢
~~VI.C.4 - 2¢~~

16

IV.B.2 — 2¢
VI.C.1 - 3¢

14

VI.C.4 - 7¢
VI.C.3 - 1¢
~~VI.C.4 - 7¢~~

11

IV.C.8 9¢

15

VI.C.4 - 4¢
I — 3¢
IV.A.5 - 1¢
VI.C.3 - 7¢
IV.B.4 - 1¢
IV.C.1 5¢

12

II — 1
IV.B.5 - 34¢

16

[redacted]

VI.C.2 - 1 ltr
IV.C.5 - 9 ltr - 3 ltr
VI.C.4 - 1 PP ltr mfg

Names of Susp Indicted

1

[redacted]

IV.A.3 - 4 ltr
IV.A.4 - 1 ltr
IV.C.9(a) 1 ltr

Suspect & Eliminated

5

[redacted]

VI.C.3 - 1 ltr

2

[redacted]

I — 1 ltr

6

[redacted]

VI.C.3 - 3 ltr
VI.C.1 - 5 ltr

3

Ellsberg Daniel Susp

VI.C.4 - 1 ltr
I — 7 ltr
II — 1 ltr
IKA.2 — 1 ltr
IV.A.5 - 18 ltr
IV.C.4 - 1 ltr
IV.C.9(a) 1 ltr
IV.C.9(b) 4 ltr
~~[illegible]~~ 1 ltr

7

[redacted]

IV.A.3 - 1 ltr
IV.A.5 - 6 ltr - 3 ltr
IV.B.5 - 15 ltr - 2 ltr
VI.C.3 - 1 ltr - 6 ltr
IV.C.9 (a) 1 ltr
TS 3234 - 2 ltr

4

Ellsberg, Robert Boyd
Sgt Marine 1959-71
TS 3286 - 20 ltr - 6 ltr

Susp

1

No Inked Prints available

Vol I — 39 fgrprts — 2 PPrts

1 & Russo
7 & Ellsberg
5 Eliminated

Vol II — 12 fgrprts — 1 PP

1 & Ellsberg
1 Eliminated.

Vol IV A2 — 11 fgrprts — 1 PP

1 & Russo
1 & Ellsberg
1 Eliminated

Vol IV A3 — 15 fgrprts — 7 PPrts

All fingerprints eliminated.

Vol IV A4 — 11 fgrprts — 1 Impression — 5 PPrts

None & Ellsberg or Russo
comparisons with
elim prints progressing

Vol. of Document	Individual	No. of Fingerprints	Penciled Page #	Actual Page #	Location
I TS 3661 Vietnam & the U.S. 1940-1950	Anthony Russo	1		Title page	front
	Daniel Ellsberg	1		A-4	front
		1		A-41	front
		1		A-42	front
		1		A-47	front
		1		A-49	front
		1		Divider IA3	fron
		1		Divider B the character	front

Vol. o)ocument	Individual	No. of Finger)nts	Penciled Page #	Actual Page #	Locat')
II U. S. Involvement in the Franco - Viet Minh War 1950-1954	Daniel Ellsberg	1		A-48	front

Vol. of Document	Individual	No. of Fingerprints	Penciled Page #	Actual Page #	Location
IV A 2 TS 3663A Aid for France in Indochina 1950-1954	Anthony Russo	1			front cover
	Daniel Ellsberg	1		Back cover	back

Vol. of Document	Individual	No. of Fingerprints	Penciled Page #	Actual Page #	Location
IV A 5 Evolution of the War Origin of the Insurgency 1954-1960	Anthony Russo	Palm prints 1	1	Title page	front
	Daniel Ellsberg	1	2	Forward	front
		3	62	9	front
		1	155	49	front
		1	157	51	front
		1	164	58	front
		1	178	72	front
		1	223	32	front
		1	226	35	front
		1	228	37	front
		1	231	40	front
		1	232	41	front
		1	235	44	front
		1	249	58	front
		1	258	67	front
		1	261	70	front
		1	279	88	front

Vol. c Document	Individual	No. of Finger nts	Penciled Page #	Actual Page #	Locat
IV B 5 TS 3664C the Overthrow of Ngo Dinh Diem, May - Nov 1963	Anthony Russo	4		2	back
		2		6	back
		1		20	back
		3		26	back
		4		28	back
		3		29	back
		4		42	back
		3		43	back
		2		44	back
		3		47	back
		2		57	back
		1		58	front
		1		59	back

Vol. o.)ocument	Individual	No. of Finger[illegible]nts	Penciled Page #	Actual Page #	Locati)
IV C 4	Anthony Russo	1	5	iii	front
TS 3665A		1	6	Divider table of content	back
Evolution of the War					
Marine Combat Units		1	7	iv	front
Go to Da Nang		3	8	v	front
March 1965		1	9	vi	front
		2	10	vii	front
		1	11	viii	front
		4	15	xii	front
		1	31	Divider "The Situation"	back
	Daniel Ellsberg	1	15	xii	front

Vol. o. Document	Individual	No. of Finger, nts	Penciled Page #	Actual Page #	Locat.
IV C 5	Anthony Russo	2		1	front
TS 3665B		1		5	back
Phase I in the		3		13	back
Build-Up of U. S.		4		22	back
Forces, The Debate		1		49	front
March - July 1965		1		64	back
		2		68	front
		2		69	back
		1		70	back
		1		84	fron
		2		Page marked U S Move	back
		7		Summary	back
		2		Chronology	back
		Palm print 1		Page marked U S Move	back

Vol. c)ocument	Individual	No. of Finger.)nts	Penciled Page #	Actual Page #	Locat)
IV C 8	Anthony Russo	3	90	74	back
TS 3665C		5	91	75	1 front
					4 back
Re-Emphasis on Pacification 1965-1967		1	92	76	front

Vol. o)ocument	Individual	No. of Finger) ts	Penciled Page #	Actual Page #	Locati)
IV C 9 (a)	Anthony Russo	1		Front cover	front
TS 3665D		1	3	i	front
U. S. GVN		1	5	iii	front
Relations Vol. I		1	15	3	front
Dec. 1963		1	23	Index	front
Jun 1965		2	64	41	front
		1	76	53	back
		3	79	56	back
		3	80	57	back
		2	81	58	back
		2	85	62	1 front
					1 back
		1	86	63	front
		3	87	64	back
		1	91	68	front
		Palm prints			
		1	14	2	back
		1	85	62	back
	Daniel Ellsberg	1	100	76	back

Vol. c)ocument	Individual	No. of Fingerp:)s	Penciled Page #	Actual Page #	Locat)
IV C 9 (b) U.S.-GVN Relations Vol. II July 1965 - Dec. 1967	Anthony Russo	1	11	viii	front
	Linda Sinay	1	79	56	back
	Daniel Ellsberg	1	3	i	front
		1	30	7	back
		1	47	24	front
		1	52	29	front

Vol. of Document	Individual	No. of Fingerprints	Penciled Page #	Actual Page #	Location
VI. C. 1 Settlement of the conflict History of Contacts Negotiations 1965-1966	Anthony Russo	Palm prints 1 1		front cover title page	outside front

Vol. or Document	Individual	No. of Fingerprints	Penciled Page #	Actual Page #	Location
VI C 4	Anthony Russo	1	52	13	back
TS 3666D		1	53	14	back
Histories of Contacts:		1	62	7	back
1967 - 1968		3	63	8	front
		1	66	11	back
		1	67	12	front
		1	107	6	front
		5	207	17	back
		4	208	18	1 front
					3 back
		2	209	19	1 front
					1 back
		1	210	20	front
		Number of palm prints			
		1	53	14	back
		1	55	16	back
		1	207	17	back
		1	208	18	back
		1	209	19	back
	Daniel Ellsberg	1	290	Divider "Killy"	back
	Vu Van Thai	2	7	4	front
		1	28	19	front
		1	29	20	back
		2	30	21	back
		1	36	27	back
		1	39	30	back
		1	100	45	back
		1	205	15	back

Vol. of Document	Individual	No. of Fingerprints	Penciled Page #	Actual Page #	Location
T S 3234	Anthony Russo	2	2	Top Secret	front
Report of Chairman,		1	8	13	front
JCS, on Situation in		1	9	4	front
Vietnam and MACV					
Force Requirements		Palm print			
Wheeler Report		1	2	Top/Secret	front

Vol. o.] pcument	Individual	No. of Fingerpı]s	Penciled Page #	Actual Page #	Locati]
TS 3286 Negotiation and Vietnam: A case Study of the 1954 Geneva Conference by M. Gurtov	Robert Ellsberg	2		back cover	outer surfac
		3		Record of Access	front
		2	7	95	front
		1	8	97	front
		1	11	104	back
		1	17	116	back
		1	36	154	back
		1	70	222	back
		1	72	225	front
		1	74	230	back
		1	80	239	front
		1	81	241	front
		1	85	249	front
		1	87	254	back
		2	92	264	back
		Palm prints			
		3		back cover	outer surfac
		3		Record of Access	front